McMILLAN

IMPROVEMENTS

BARRICADES

FIRE STATIONS

FRONT

etitions
- Sdw. -Stree

PLANS AND PROFILES

BIDS
INVITATIONAL

CITY LIGHT IMPROVEMENTS

BARRICADES

OPEN

FIRE STATIONS

FRONT

titions - Sdw. -Stree

PLANS AND PROFILES

BIDS INVITATIONAL

FRONT

AGREEMENTS (CONTRACTS)

ALLEN COUNTY COMMISSIONERS AND CITY	Lease of 100 spaces for parking on Calhoun Street	12/28/73 -- 98-9
ALLEN COUNTY COMMISSIONERS AND CITY	Re: Right of Way Permit Dept.	1/18/73 --- 117-17
ALLEN COUNTY COMMISSIONERS AND CITY	Re: Improve Tillman Road	1/24/73 --- 119-9
ALLEN COUNTY COMMISSIONERS AND CITY	Re: California Road	6/18/73 --- 274-10
ALLEN COUNTY COMMISSIONERS AND CITY	Convey property for Housing Authority	4/18/73 --- 212-14
CITY AND FT. WAYNE NEWSPAPERS	Rental for placement of sidewalk Newspaper vending machines - Downtown Area	12/3/72 --- 39-7
CITY AND LUTHERAN HOME	Drainage	5/14/73 --- 236-7
CITY AND STATE HIGHWAY COMMISSION	Lighting of intersections of I-69 at its interchanges with U.S. 24, U.S. 30-33 and U.S. 27	12/28/73 - 98-10
CITY AND STATE HIGHWAY COMMISSION	Truck Route Agreement	2/26/73 --- 146-10
CITY AND PARK COMMISSIONERS	Leasing of Parks	4/24/73 -- 217-12
BREDEMEYER'S LUNCH, INC.	Sewer Extension (Bluffton Rd.)	1/15/73 - 111-17
CANTERBURY GREEN APTS. - Phase V	Maintain streets in project	12/4/72 - 71-9
JOB'S HOUSE, INC. (308 E. Berry St.)	Lease Agreement	12/12/72 - 84-14
AGREEMENT TO PURCHASE -	415-419 East Wallace St. (Ohio Plate GlassCo.)	12/21/72 - 94-8
AGREEMENT TO PURCHASE	Greenway Corp. ($7,000)	3/6/73 ---162-23
AGREEMENT TO PURCHASE	From: Redevelopment Commission Wallace St. Land - $21,903.50	1/15/73 ---111-19
CITY AND Harry P. Laffkas	Re: Tielker Road	5/16/73 ---240-9
CITY AND STONEHAVEN, INC. Brex Corp.	Water Retention Pond	4/12/73 ---205-13
CITY AND NEWS-SENTINEL BROAD. CO., INC.	Sewer Extension - The Arburn Place Add.	1/15/73 ---111-18
SERVICE AGREEMENT	Zeis Security Systems	4/12/73 ---205-12
BEAM, LONGEST & NEFF, INC.	Improvement of Rudisill Blvd. (Indiana to Lafayette St.) Inv. #1 - $6,880.	12/4/73 --- 71-13, 164-9, 199-9 3/1/73 ---- 155-12
BEAM, LONGEST & NEFF, INC.	Street widening, signaling lighting & intersection improvements from S.R. 3 to U.S. 30	6/28/73 --- 293-6
BUTLER, FAIRMAN & SEUFERT, INC.	Engr. Agreement - Tillman Rd., Anthony to Hessen Cassel Rd.)	4/24/73 --- 217-14
HARRINGTON CORP. & CITY	Detention Pond Agreement	7/26/73 --- 332-4
MURPHY, CONSULTANTS, INC.	Professional Services Re: Ft. Wayne Water Utility	7/24/73 --- 325-11
KEN NIEMEYER, INC.	Lake Forest Add. Ex. Sec. V	7/16/73 --- 311-8
PHILIP L. SCHNELKER, INC.	L. Huntington Rd. (Baer Field Thruway)	7/10/73 - 306-8
McNAMEE, PORTER & SEELEY	Agreement dated Dec. 7, 1970 (See Book #56) Part Pay Est. #1 ---engr. fees - $13,341.91	7/19/73 -- 319-21
McNAMEE, PORTER & SEELEY (June 5, 1972)	Resident Engineer for repair of HURSHTOWN RESERVOIR	12/19/72 -- 91-17
TURNBELL, GREEN & ASSOC., INC.	Railroad and street grade crossings	6/21/73 --- 286-39

WESTENHOFF AND NOVICK, INC. ------------ Phase I - East-West Highway - Agreement Letter dated July 7, 19

Invoice #2 ------- Professional Services --------$ 4,783.68 --- 10-5-72 --- 5-12
#3 " " ---------$ 3,144.03 --- 11-16-72 -- 54-14
#4 ------- " " ---------$3,540.67 --- 12/5/72 -- 73-9
#5 ------- " " ---------$12,994.94 --- 1/8/73 -- 104-10
#6 ------- " " ---------$ 3,747.00 --- 2/1/73 -- 126-5
#7 ------- " " ---------$ 811.62 --- 3/8/73 -- 165-2

WESTENHOFF AND NOVICK, INC. ----------- WELLS ST. CORRIDOR FEASIBILITY - Agreement dat Feb. 9, 1973
Resolution - No. 59-146-11 ------------------------ 2/26/73 -- 146-11

Invoice #1 ------- Professional Services --------$1,006.70 --- 5/29/73 -- 253-10

CLYDE WILLIAMS & ASSOC., INC. -(BOOK 56-180-7) PARNELL AVENUE / ST. JOE RIVER -Jan. 5, 19

Invoice #4 ----------------- $ 2,296.40 --------------------- 11/13/72 -- 48-7
#5 ----------------- $ 7,184.00 (bal. of Inv. #2) ---- 1/18/73 -- 116-13
#6 ----------------- $ 1,357.57 --------------------- 2/7/73 -- 130-7

BARRICADES

ABBOTT to QUEEN ST. (alley S/Pontiac)	NIPSCO	12/18/72	87-12
ABBOTT & QUEEN STREETS (E-W alley)	NIPSCO	4/19-23/73	214-10
S. ANTHONY BLVD. (7111)	Bercot, Inc.	6/5-6/73	259-17
ALLEGANY AVENUE at SANDPOINT RD.	NIPSCO	7/26/73	326-16
BERRY ST. (Left-hand lane)	Mrs. Olmstead	11/4/72	39-9
BERRY ST. (CLINTON to HARRISON)	Light Construction	11/15-16/72	60-9
BERRY from EWING to UNION	General Telephone Co.	3/28/73-4/18/73	191-10
BARR ST. at JEFFERSON ST.	Richard Saver	4/18/73	200-12
813 BROADWAY (alley beside)	Byroade Brothers	4/24/73	216-7
Alley bet. BARR & LAFAYETTE & WAYNE & WASH.	NIPSCO	5/1-21/73	227-8
Alley bet. BARR & CLINTON & WAYNE & WASH.	NIPSCO	6/4/73	258-16
2800 blk. S. CALHOUN (alley)	Silkworth Const. Co.	10/10-11/72	5-11
CALHOUN ST. from MAIN to BERRY	Light Construction	11/16-17/73	54-15
Alley bet. CLARA & DODGE & BEACON & ROLSTON	NIPSCO	1/8-10/73	104-11
1618-1622 S. CALHOUN	Seko, Inc.	1/15-19/73	110-12
E. lane of CALHOUN ST. (W/Court House)	Hawk Const. Co.	2/28/73	154-9
E. lane of CALHOUN ST. (W/Court House)	Hawk Const. Co.	3/5/73	155-10
W. lane CALHOUN, N. lane BERRY, W. lane of HARRISON bet. BERRY & LEWIS	Indiana & Michigan Electric	3/5/73	159-10
811 & 914 S. CALHOUN ST.	Ft. Wayne Storage Co.	3/5/73	160-12
E. lane of CALHOUN (W/Court House)	Hawk Const. Co.	3/8/73	161-20
1920 Curdes (alley)	NIPSCO	4/3-4/73	197-2
CLINTON COURT at PACKARD, DARROW & CLINTON	Keith Morphew	5/16-18/73	240-10
COLUMBIA ST. bet. CALHOUN & HARRISON	William G. Williams	5/16/73	240-11
CALHOUN ST. sdw. (W/Court House)	Miller Roofing	5/21-22/73	243-11
Center lane CALHOUN bet. WAYNE & WASH.	Indiana & Michigan Electric	6/3/73	255-5
COOMBS ST. bet. EDGEWATER & COOMS SOUTH	Heavy Const. Co., Inc.	6/18-29/73	271-9
Alley N/COTTAGE & W/INDIANA to BEAVER	NIPSCO	6/19-22/73	282-23
N-S alley parallel to CALHOUN	Pettigrew & Sons	6/19-20/73	282-24
E. side CALHOUN bet. BERRY & WAYNE	Park Dept.	6/25/73	286-36
COLUMBIA ST. bet. CALHOUN & HARRISON	Folkus '73	8/11/73	298-9
CLINTON (east lane)	Hagerman Const.	7/16-20/73	308-9
602 S. CALHOUN (both west lanes)	A. Hattersley & Son	7/16/73	311-9
Alley bet. DODGE & STATE & FOREST PARK BLVD. & FLORIDA	NIPSCO	4/11-13/73	205-14
DEWALD ST. bet. WARSAW & HANNA STS.	Martin, Inc.	4/24/73-5/1/73	216-6
1900 blk. EMMA ST. (alley)	A-1 Sanitary Service	3/13/73	164-8
Cor. FAIRFAX & McCLELLAN STS.	NIPSCO	10/5/72	3-4
FULTON ST. bet. WAYNE & BERRY STS.	Community Episcopal	5/12/73	161-17
Alley bet. FLORIDA & WEST & CURDES & DODGE	NIPSCO	4/13-17/73	206-16
FOSTER PARK DR. bet. HARTMAN & FAIRFIELD	Moellering Construction	5/30/73	252-9
GLENCOE bet. LAFAYETTE ESP. & LAFAYETTE	Steve Hand	5/20/73	237-13
Alley N/HUFFMAN & E/1700 FRANKLIN	I & M	11/7-10/73	42-7
HARRISON bet. DOUGLAS & BRACKENRIDGE	Lincoln Boy Scouts	2/12/73	122-8
N. lane HARRISON & S. lane WAYNE (in front of Patterson Fletcher)	Bercot Advertising	3/19-20/73	176-9
HARRISON STREET (front of Patterson Fletcher)	City Glass Co.	3/22/73	182-7
1631 N. HARRISON (alley)	Spatt Plumbing & Heating	4/19-23/73	214-11
HARRISON (W. lane S/Wayne to Wash.); Harrison (W. lane S/Wash. to Jefferson); Harrison (W. lane S/Wash. to Lewis); Harrison (W. lane S. to Douglas); Douglas (S. lane W. ½ blk.)	NIPSCO	7/18/73-8/31/73	330-14
INDIANA AVE. at alley N/COTTAGE	NIPSCO	6/20/73	283-25
JEFFERSON & CALHOUN (Sdw. on NW corner)	Pettigrew & Sons	1/11/73	110-11
S. side of JEFFERSON ST.	Martin, Inc.	1/29/73	120-12
KENTUCKY AVE. from STATE N. to CHARLOTTE	NIPSCO	3/29/73	191-11
W. side LAFAYETTE from SUPERIOR to MAIN	I & M	11/1/72-12/31/72	7-7
W/LAFAYETTE from WAYNE to WASHINGTON	NIPSCO	12/7/72	80-9
1905 LAWNDALE (west end)	NIPSCO	3/22-23/73	183-8
LUMBARD STREET	Norfolk & Western R.R.	4/9/73	199-10
E. ½ LAFAYETTE ESP. bet. CONGRESS & FLEMING	Steve Hand	5/20/73	237-13
LUMBARD ST. at R.R. crossing	Norfolk & Western R.R.	7/23/73	322-13

BARRICADES

S. side of MAIN ST. (from LAFAYETTE to CLAY)	I & M Electric	10/16/72	7-7
MAIDEN LANE from MAIN to PEARL	Charles Miller	10/28/72	34-9
Alley N/MAIN, S/COLUMBIA bet CALHOUN & HARRISON STREETS	Weikel Const.	11/13/72	48-9
Alley bet. McKEE & PONTIAC from QUEEN to ABBOTT	NIPSCO	2/27/73-3/2/73	154-8
110,112,114 W. MAIN (sdw. & one lane)	Ceko, Inc.	3/17/73-4/7/73	169-4
MAURAINE DRIVE at GETZ ROAD	NIPSCO	3/27-28/73	191-6
MAIN from UNION to far west of MAIN ST.	General Telephone	3/28/73-4/18/73	191-10
MADISON at LAFAYETTE STREET	Richard Sauer	4/18/73	200-12
MAUMEE ST. at SCHICK (far left lane)	G. L. Koomler	4/25/73	216-8
Alley bet. MAIDEN LANE & WEBSTER & MAIN & BERRY	NIPSCO	6/22-25/73	286-37
MURRAY ST. bet. LAFAYETTE & BARR	NIPSCO	7/25-26/73	330-13
1017 ONEIDA from COLUMBIA to LAKE (alley)	NIPSCO	1/24/73	120-13
PONTIAC ST. from CALHOUN to HARRISON	G.W. Griffin Const.	10/14-15/73	17-11
Alley from QUEEN to RADCLIFFE, S/PONTIAC	NIPSCO	2/20-23/73	143-9
Alley from QUEEN to ABBOTT & MANFORD & MCKEE	NIPSCO	2/26/73	154-7
RUDISILL & FOSTER PKWY. (NS alley)	Weikel Const.	11/21-22/73	64-10
REED ST. bet. CREIGHTON & GREEN ST.	Old Fort Branch YMCA	6/2/73	245-10
W. side of SPY RUN from WAGNER to N. side of SPY RUN BRIDGE; also E. side of SPY RUN BRIDGE	I & M Electric	11/1/72-12/31/72	7-7
E/ST. JOE BLVD. (TENNESSEE AVE. south to ONEIDA)	NIPSCO	10/23-27/73	23-9
900 blk. W. STATE ST. bet. W. STATE & CLAYTON (alley)	Irmscher & Son, Inc.	4/11-18/73	206-15
SCHICK ST. at WASHINGTON	G. L. Koomler	4/25/73	216-8
SPRINGFIELD bet. ANTHONY & CRESCENT	Paul Yaney	5/19/73-7/31/73	236-9
SUPERIOR (both north lanes)	I & M Electric	7/27,30,31/73 & 8/1/73	330-15
TENNESSEE AVE. from SPY RUN to GRISWOLD	NIPSCO	6/11/73	268-14
VANCE AVE. bet. NORDHOLME & SHERBORNE	NIPSCO	5/1-3/73	223-9
WAGNER ST. (E. to SPY RUN)	I & M Electric	10/16/72-12/31/72	7-7
WELLS ST. (FRANKE PARK DR. & COLISEUM)(3700)	John Dehner, Inc.	10/18-19/73	19-11
1100 blk. WEBSTER	LaDoyt Rodeheaver	10/20,21,26,28,30/72 & 11/1/72	20-12
1427 WALL ST. & SWINNEY AVE. from PHENIE to THOMPSON	A-1 Sanitary	11/13/72	48-8
100 blk. WASHINGTON ST. (south lane)	Martin, Inc.	11/28-29/72	64-12
WEBSTER ST. (east side) bet. WASHINGTON & alley	St. Johns United Church	12/1/72	73-6
EW alley bet. WASHINGTON & WAYNE STS.	NIPSCO	12/5-7/72	73-7
Alley bet. WAYNE & WASHINGTON	NIPSCO	12/11/72	80-10
Alley bet. Library & YWCA at WAYNE ST.	YWCA	5/5/73	143-10
WAYNE ST. bet EWING & WEBSTER STS.	First Presbyterian Church	4/15/73	208-9
1400 blk. WALL ST. (alley)	A-1 Sanitary Sewer Service	5/11-12/73	234-7
200 blk. E. WAYNE (alley)	NIPSCO	5/11/73	236-8
WELLS ST. (alley behind Keltch Drugs)	New Exteriors	5/19/73	243-10
E. WAYNE & E. WASHINGTON from CLINTON to BARR ST. (E-W alley)	NIPSCO	5/22-25/73	246-12
WEBSTER ST. from corner of WEBSTER & LEXINGTON to north end of GRACE UNITED CHURCH	Grace United Church	6/11-22/73	253-11
Alley bet. WAYNE & WASHINGTON & BARR & CLINTON	NIPSCO	6/6-22/73	259-18
Alley S/WAYNE ST. & E/CLAY	Wayne Cooley	6/15-22/73	273-6
WINTER ST. at former WABASH R.R. Crossing	Norfolk & Western R.R.	7/3/73	296-7
WASHINGTON BLVD. (S. lane front of YMCA)	Early Elevator Co.	7/22/73	322-11
124 W. WASHINGTON (sdw.)	Fred Hunter	7/23,24,25/73	322-12

BIDS INVITATIONAL

BOARD OF PUBLIC WORKS

50 Planters, 20 Benches & 10 Receptacles	LANDSCAPE FORMS, INC.	$18,027.00	12/21/72	94-9
Hydraulic Power Sweeper and Attachments	TENNANT COMPANY	6,426.00	1/3/73	101-12
Two Mowing Tractors	ALLEN COUNTY MOTORS	10,802.98	4/4/73	195-12
Four Wheels Type Sweepers	RIES EQUIPMENT CO.	42,750.00	4/18/73	211-8
Chloride Solution	DOW CHEMICAL CO.		5/10/73	234-5
Liquid Alum for WPC Dept.	ALLEN CHEMICAL CO.		5/10/73	234-6

CITY UTILITIES

Purchase Order No.

9477	Copper Cable	GENERAL ELECTRIC SUPPLY CO.	$21,284.00	150-13
9516	Lexalite Globes	LIGHT REPLACEMENT	2,016.00	150-12
9529	Transformers	NATIONAL MILL COMPANY	(see page 150)	150-14
9568	Topics Lighting Project T-6002	GENERAL ELECTRIC COMPANY	2,310.00	142-7
9569	" " " "	LESTER SALES COMPANY	16,636.00	142-7
9570	" " " "	GENERAL ELECTRIC COMPANY	9,800.00	142-7
9646	Wire	GRAYBAR ELECTRIC COMPANY	7,050.00	
7932	Parts for G.E. Turbine #82297 at Power Plant	GENERAL ELECTRIC COMPANY	59,940.00	39-5
0192	Triplex Service Wire	GRAYBAR ELECTRIC COMPANY	16,048.00	212-13
0831	Lamps	GRAYBAR ELECTRIC COMPANY	8,233.00	283-27
0832	Concrete Poles	UNION METAL MFG. CO.	19,296.50	283-28
0868	Aluminum Pedestal Poles	GRAYBAR ELECTRIC COMPANY	51,631.00	283-31
0869	Light Poles	PREFERRED PROD. SALES	32,655.75	283-29
0871	Luminaires	GENERAL ELECTRIC COMPANY	85,295.00	283-30
0987	Truck Bodies	ERNST TRUCK EQUIP CO.	12,459.80	284-33
0989	Pick-up trucks and cabs and chassis	(See Page 285)	38,600.52	284-35
0988	Panel Wagons	INTERNATIONAL HARVESTER CO.	9,180.00	284-34

ENGINEERING: MICK AND ROWLAND — ST. JOE INTERCEPTOR PROJECT - Agreement of August 31, 1971

Part. Pay. Est. No. 3 (FINAL) ---- $2,913.53 ---- 6/4/73 ---- 258-11

INSPECTION: HENRY B. STEEG & ASSOC., INC. -- INTERIM PHOSPHATE REMOVAL PROJECT

Invoices Nos. 1 & 2 ---- totalling $1,095.72 ---- 1/29/73 ---- 123-18

SEWER RESOLUTIONS:

260 - STORM WATER OVERFLOW DEMONSTRATION - SCHEELE CONST. CO., INC.

Part Pay. Est. No. 4 ---- $43,502.40 ---- 34-11

Part Pay. Est. No. 5 ---- $23,656.75 ---- 79-7

CITY LIGHT IMPROVEMENTS

CAMPBELL, DE BOE, GIESE & WEBER, ENGINEERING
(Agreement of 1/28/70 to prepare Pland and
Specifications for Relocation of Turbine
Room Stair and Extension of Control Room
at Lawton Park Generating Station)

1495-3 BUILDING ALTERATIONS FOR MODULAR BOILER INSTALLATION

Part Pay. Est. No. 6 (FINAL) ---------------- $12,435.30 ---------- 1/8/73 -- 104-9

TO COUNCIL ---- FEDERAL GRANTS

		To Council	
Federal Grant Acceptance (Project WS-IN-05-36-1001	HARVESTER DRAIN)	12/5/72	17-13
Res. 57-6-13 -	ADDENDUM TO RESOLUTION (St. Joe Interceptor Sewers)	12/5/72	66-16
Res. 59-74-11 -	WATER POLLUTION CONTROL PROJECT	12/12/72	74-11
Res. 59-75-12 -	WATER IMPROVEMENT PROJECT	12/12/72	75-12
Res. 59-157-8 -	EPA PROJECT C-180475 (re: St. Joe Interceptor Sewers	3/13/73	157-8

MISCELLANEOUS RESOLUTIONS:

Res. 59-106-7 -	re: Main Street Redevélopment Area (Project No. Ind. R-52) (Old Fire Station No. 1) property and Old Fort property--	1/23/73	106-7
Res. 59-146-11	WESTENHOFF AND NOVICK, INC. AGREEMENT - re: Wells St. and Ewing St. Bridge	2/9/73	146-11

AGREEMENTS:

PURCHASE OF REAL ESTATE -	J. H. & Annie R. Cook	Lewis Add. N. 26 ft. of of Lot 211	1/9/73	91-18
PURCHASE OF REAL ESTATE -	Ohio Plate Glass Co.	415-419 E. Wallace & 440-444 E. Wallace	1/9/73	94-8
PURCHASE OF REAL ESTATE -	Janet Sundheimer	S.E. cor. Lafayette and Wildwood	12/28/72	95-14
SALE OF REAL ESTATE -	GREENWAY CORPORATION -	area of Richardville Reserve	3/13/73	162-23
CONVEY REAL ESTATE -	from : County Commissioners	to City	4/24/73	212-14

COUNCIL

TO COUNCIL

SEWER AGREEMENTS:

SHIRMEYER ASSOC., INC. ------------------- Pheasant Run Add. 12/12/72 -- 73-10
JEWEL BUILDERS, INC. ---------------------- Woodview Manor 4/10/73 -- 200-14
KEN NIEMEYER, INC. ----------------------- Lake Forest Add. Ext. Sec. V 7/24/73 -- 311-8

CHANGE ORDERS

SHAMBAUGH & SONS ---------- Re: Interim Phosphorus - No. 1 --- $812.00 1/23/73 -- 110-13
L. W. DAILEY, INC. -------- Re: 5604-71 Dodge Ave. No. 1 - $1,350.10 2/13/73 -- 116-15

CONTRACTS: Streets

5621-72 --- JOHN DEHNER, INC. -------------Ley Road --- $232,905.81 3/13/73 -- 145-6

CONTRACTS: - Sewers

811-1970 - NOBIS-WESTROPP CONST. CORP. -- Goshen-Burma Roads -- $53,626.07 -7/10/73 -- 294-8

857-1972 - HIPSKIND ASPHALT CORP. ---- Trixholme Add. -----$194,190.00 -1/23/73 --110-14

863-1972 - NOBIS-WESTROPP CONST. CORP. -- Lower Huntington Road and
Winchester Road ----- $53,921.60 -1/23/73 --109-4

CONTRACTS: Water

7301 - HIPSKIND ASPHALT CORP. --- Modifications to Water Facilities
U.S. Hwy. #30 Bypass - U-Proj. 724 (21)
$ 7,400.00 - 3/27/73 --175-7

7302 - EARTH CONST. & ENGR. CORP.- Colonial Heights, Inc. --- 4/24/73 --211-9

7303 - BERCOT, INC. -- U.S. 30 Bypass -
Main Relocation ---------- $20,546.00 - 5/22/73 -242-4

7114 - BOISE CASCADE BLDG. CO. No. side of Washington
Center Road -------------- 12/12/72 -77-8

7307 - JUSTUS CONTRACT. CO.--- Old Decatur Road ------- $ 8,157.40) 8/14/73 - 325-12

1003-72 BERCOT, INC. ------ WOODLAND ACRES ADD. ----- 2/27/73 134-7

1004-72 BERCOT, INC. ------ EASTLAND GARDENS, SEC. B ----- 4/24/73 202-9

1005-72 BERCOT, INC. ------ HICKORY GROVE ADD. SEC. A 1/9/73 97-5

1006-72 BERCOT, INC. ------ HICKORY GROVE ADD. SECS. B&C 3/27/73 167-8

73-XP-1 NOBIS-WESTROPP CONST. CO. - Hobson Feeder Main Phase I -- $64,860.10 - 3/27/73 - 175-8

73-XP-2 JAY FOX CONST. CO., INC. -- Cook Road Feeder Main -
Phase I --------------------- $27,560.50 - 4/10/73 - 182-6

EMERGENCY REPAIRS TO COUNCIL:

P.O. 8338 JOHN DEHNER, INC. Cave-in - 3600 Block of Wells St.
in the amount of $2,978.43 ------------------- 11/20/72 - 61-11

P.O. 15300 CONRAD ERECTION & SUPPLY CO. --- Repairs to Lafayette
St. Railroad elevation --- $4,450.00 -------- 5/8/73 - 227-6

P.O. 15363 HIPSKIND ASPHALT CORP. Repairs to Lafayette St. Railroad
elevation ------------------ $5,442.50 ------- 5/8/73 - 227-6

Purchase Orders:			To Council	Page
0192	GRAYBAR ELEC. COMPANY	Triplex Service Wire	4/24/73	212-13
0292	DOW CHEMICAL CO.	Ferric Chloride Solution	5/22/73	234-5
0293	ALLIED CHEMICAL CO.	Liquid Alum	5/22/73	234-6
0831	GRAYBAR ELEC. CO.	Lamps	6/26/73	283-27
0832	UNION METAL MFG. CO.	Concrete poles	6/26/73	283-28
0869	PREFERRED PROD. SALES CO.	Lighting Poles	6/26/73	283-29
0871	GENERAL ELECTRIC COMPANY	Luminaires	6/26/73	283-30
0868	GRAYBAR ELEC. CO.	Aluminum Pedestal Poles	6/26/73	283-31
0987	ERNST TRUCK EQUIP CO.	Dump Body, Crew Cab. etc.	6/26/73	284-33
0988	INTERNATIONAL HARVESTER CO.	Panel Wagons	6/26/73	284-34
0989	ALLEN COUNTY MOTORS	Pick-up trucks - cab and chassis	6/26/73	284-35
9008	REDEVELOPMENT COMMISSION	Wallace St. Substation property	2/13/73	111-19
9477	GENERAL ELECTRIC COMPANY	Copper Cable	2/27/73	150-13
9516	LIGHT REPLACEMENT CO.	Lexalite Gloves	2/27/73	150-12
9529	NATIONAL MILL COMPANY	Transformers	2/27/73	150-14
9568	GENERAL ELECTRIC COMPANY	Topics Light Project T-6002	2/27/73	142-7
9569	LESTER SALES COMPANY	Topics Light Project T-6002	2/27/73	142-7
9570	GENERAL ELECTRIC COMPANY	Topics Light Project T-6002	2/27/73	142-7
9646	GRAYBAR ELECTRIC COMPANY	Wire	3/6/73	161-18
11884	LANDSCAPE FORMS, INC.	Planters, Benches & Receptacles	1/9/73	94-9
11937	TENNANT COMPANY	Hydraulic Sweeper	1/9/73	101-12
13203	ALLEN COUNTY MOTORS CO.	1973 Van Type Truck	2/27/73	143-8A
13204	ALLEN COUNTY MOTORS CO.	1/2 Ton pick-up Truck	2/27/73	143-8B
14543	ALLEN COUNTY TRACTOR SALES, INC.	2 Industrial Mowers	4/10/73	195-12
14720	RIES EQUIPMENT COMPANY, INC.	2 Four Wheel Type Sweepers	4/24/73	211-8
15300 & 15363	CONRAD ERECTION & SUPPLY & HIPSKIND ASPHALT CORP.	Emergency repairs - Lafayette St. Railroad Elevation	5/8/73	227-6

MAIN SEWERS:

RES. NO. 266-72	JOHN DEHNER, INC.	St. Joe Interceptor Robinson Pk. to Martin Ditch	7/24/73	316-7
MODIFIED 267-72	NOBIS-WESTROPP CORP.	St. Joe Interceptor Martin Ditch to Cedar Creek Twshp.	"	317-8
271-72	EARTH CONST. & ENGR.	St. Joe Interceptor Robinson Pk. to S.R. 327	"	317-9
272-72	BERCOT, INC.	St. Joe Interceptor S.R. 327 to S. R. #3	"	317-10
MODIFIED 273-72	HIPSKIND ASPHALT CORP.	St. Joe Interceptor S. R. #3 to Bethel Rd.	"	317-11
275-72	EARTH CONST. & ENGR.	St. Joe Interceptor Robinson Pk. to Dupont Rd.	"	317-12
276-72	HIPSKIND ASPHALT CORP.	St. Joe Interceptor Dupont Rd. to Pine Valley	"	318-13
MODIFIED 277-72	HIPSKIND ASPHALT CORP.	St. Joe Interceptor St. Joe River to Diebold Rd.	"	318-14

DEEDS

DEDICATIONS

EASEMENTS

GRANTS

DEEDS:

CITY TO STATE OF INDIANA (Quit-claim) --------- for improvement of S. R. #327 and Cook Road (Instrument F-7188)--------10/12/72 ---10-4

CITY TO STATE OF INDIANA (Quit-Claim) --------- for improvement of S. R. #327 and Cook Road Instrument F-7189) --------10/12/72 ---11-5

1132 Summit Street ---------------------------- From: Mary Ann Beauty Salon (Beulah M. Collman, Pres.) 5/3/73 ---225-7

1342 Hayden St. ----- gift to city ----------- E. 1/2 Lot of 212 Eliza Hanna Sr. Add. from: Stephen D. & Linda L. Muldoon -------------------12/28?72 ---98-8

Lot 80 McCullochs 2nd Add. -- gift to city --- From Stephen D. & Linda L. Muldoon--------------------12/28/72 ---97-7

North half of Sec. 22, Twnshp. 32 N. Range 13 East in Allen County ---------------------- (given by the City) To: Arnold Moser ---------1/8/73 ---103-8

WARRANTY DEED: from: Joe H. & Annie R. Cook -- Lewis Additon ---------1/24/73 ---120-10

WARRANTY DEED: from: Janet Sundheimer ---------- Anthony Hiblers Add. --2/26/73 ---146-9

WARRANTY DEED: from: Robt. Y. & Gertrude J. Keegan --- McCulloch's 2nd Add. --7/26/73 --- 331-3

WARRANTY DEED: from Ohio Plate Glass Co. --- Lewis Addition --------5/29/73 ---252-7

WARRANTY DEED: Dept. of Redevelopment ------- Lots 17 & 18 & part of 16. - Hanna - Creighton area ------------------4/4/73 ---195-10

EASEMENTS:

AGREEMENT -re: Easement --------------Holy Trinity Greek Orthodox Church - S. Anthony Blvd. ----------6/21/73 ---286_40

QUIT-CLAIM DEED: Easement --------------for Main St. Redevelopment Proj. R-52 ---194-7, 194-8, 194-9 and 194-10

RELEASE OF EASEMENT: -------------------Arlington Investment Corp. - Trixholme Add.---7/23/73 - 323-16

RELEASE OF EASEMENT: -------------------New Kirkwood Park, Sec. H. - -------- 7/23/73 --- 322-14

FEDERAL GRANTS:

PROJECT WS-IN-05-36-1001 --- HARVESTER DRAIN - Fed. Grant Addceptance. --- 10/16/72 --- 17-13

EPA GRANT 11060 DXX --- CONVEY Phosphate Pilot Plant to City -------- 12/12/72 --- 84-13

RESOLUTION:	59-74-11 ----	STORM SEWERS IN WAYNEDALE AREA --------------	12/5/72	--- 74-11
	59-75-12 ----	WATER TRANSMISSIONS MAINS -------------------	-12/5/72	--- 75-12
	59-157-8 ----	ST. JOSEPH INTERCEPTOR (EPA Proj. C180475)---	3-5-72	--- 157-8
	59-170-5 ----	FOR INFILTRATION STUDY, Phase I -------------	3/15/72	--- 170-5
	59-171-6 ----	TO CONSTRUCT SOUTHEAST SEWAGE COLL. SYSTEMS--	3/15/72	--- 171-6
	59-172-7 ----	LAKESIDE STORM RELIEF SEWERS & TREATMENT-----	3/15/72	--- 172-7
	59-173-8 ----	MASTER PLAN SANI. INTERCEPTORS - (St. Joe and Junk Ditch) --------------------	3/15/72	--- 173-8

FIRE STATIONS

CENTRAL FIRE STATION NO. 1 - Northeast Corner - Lafayette and Main Streets

Michael Kinder and Sons, Inc., --- General Construction

Change Order No. G-10	$ 1,415.11	12-4-72	71-10
Part. Pay. Est. No. 13	$13,635.14	12-4-72	71-12
Est. No. 14 (FINAL)	$ 3,000.00	5-1-73	223-10

E. A. Reim Plumb. & Heat., Inc. ---- Plumbing, Heating, Ventilating and Air Conditioning

Partial Payment Est. No. 10 (FINAL)	$ 4,254.50	2/28/73	152-8

INNER CITY STORM RELIEF SEWERS

RES. NO. 249-1970 --- INNER CITY - Sec. II ---- WS-IND - 78

Change Order No. 5	$8,900.00	12/13/72	48-10

DRIVEWAY PERMITS

Agnes Street as Warsaw---------------------- 63-9
6900 block, Ardmore Avenue------------------ 63-9
South Anthony /cl Seddlemeyer Avenue-------- 163-3
Anderson Street east of Spy Run------------- 198-3
1819 Alliger Street------------------------- 220-4
6224 Amarillo Drive------------------------- 302-4

100 Baker Street---------------------------- 47-3
6103 Blue Spruce Court---------------------- 89-4
6107 Blue Spruce Court---------------------- 187-4
9111, 0117, 9123, 9201, 9203, 9207, 9215,
9221, 9225, 9231, 9236, 9230, 9224, 9218,
9212, 9206, 9124, and 9106 Burr Oak Drive--- 209-4
3500 Broadway------------------------------- 219-6
2110 Brooklyn Avenue------------------------ 222-4
East Berry---------------------------------- 251-5
Berry and Hanover--------------------------- 251-5
5424 Buell---------------------------------- 251-5
2901 Brooklyn------------------------------- 269-4
3002 Brooklyn------------------------------- 272-4
8000 Baer Road------------------------------ 280-12
7820 Bluffton Road-------------------------- 307-4
1217 West Branning-------------------------- 327-4

3524 Central Avenue------------------------- 8-5
1614 Cherokee------------------------------- 35-3
340 West Cox Drive-------------------------- 47-3
125 East Crown Lane------------------------- 156-4
3433 Casselwood Drive----------------------- 166-4
310 East Congress--------------------------- 175-5
2526 South Calhoun-------------------------- 209-4
6404 South Calhoun-------------------------- 244-4
4018 South Calhoun-------------------------- 256-5
5330 South Calhoun-------------------------- 272-4
1212 East California Road------------------ 320-3

1056-1058 Delaware-------------------------- 1-3
4619 Dodge Avenue--------------------------- 40-3
2114 Dale Drive----------------------------- 175-5

4211 Earth Drive---------------------------- 187-4
2536 Ellen--------------------------------- 201-3
2015 Emma----------------------------------- 266-5
2515 Ellen--------------------------------- 266-5
2009 Emma----------------------------------- 266-5

1245 West Foster Parkway-------------------- 256-5
1150 Fairview Avenue------------------------ 272-4
5401 Fairfield / Belmont-------------------- 287-5
3900 Felician Street (3)-------------------- 310-3
3404 Fleetwood------------------------------ 327-4

5405 South Hanna---------------------------- 65-3
Hatfield Road------------------------------- 129-3
Hayden Street - east of Hanna--------------- 156-4
Hemphill Drive (entrance)------------------- 187-4
Hessen Cassel Rd. (across from Frasch Dr.)-- 201-3
3626 South Hanna---------------------------- 209-4
NW corner Hobson Rd. at Lake Avenue--------- 209-4
Hobson Rd. - N/Coliseum Blvd. east---------- 228-3
Home Avenue (across from Duemling Clinic)--- 235-4
5002 Holton Avenue-------------------------- 244-4
4002 Hoagland------------------------------- 247-4
2828 Hazelwood------------------------------ 280-12
711 Hofer----------------------------------- 310-3
1902 S. Hanna Street------------------------ 327-4
1808 Holly Avenue--------------------------- 327-4

4934 Hillegas Road-------------------------- 333-4

4903 Indiana on Pettit---------------------- 1-3
903 Illsley--------------------------------- 47-3
5225 Industrial Road------------------------ 89-4
1921 Ida------------------------------------ 112-4
4425 Industrial Road------------------------ 156-4
South side Illinois Road & U.S. 24 west---- 187-4
South sdie of Illinois Road---------------- 244-4
5115 Indiana-------------------------------- 247-4
5005 Indiana-------------------------------- 251-5
3636 & 4104 Illinois Road------------------- 296-3
1828 Ida Avenue-----------------------------302-4
Illinois Road------------------------------- 307-4
2804 Inwood--------------------------------- 324-4

2929 Kentucky------------------------------- 109-4
1932 Kenwood-------------------------------- 280-12

1923 Lynn Avenue---------------------------- 8-5
2200 Lower Huntington Road------------------ 40-3
East 1100 Lower Huntington Road------------- 81-5
1406 Lakewood------------------------------- 112-4
1922 Lakeview Drive------------------------- 127-4
1655 Lakeview------------------------------- 201-3
1705 Lakeview------------------------------- 201-3
4606 Lake Avenue---------------------------- 209-4
2010 Lakeview------------------------------- 228-3
1606 Lakeview------------------------------- 244-4
1626 Lakewood------------------------------- 280-12
1629 Lakewood------------------------------- 280-1
2730 Lofty Drive---------------------------- 287-5
4607 Lafayette Esplanade-------------------- 313-3

3512 Monagene Drive------------------------- 47-3
5304 Monarch Drive-------------------------- 89-4
5311 Monarch Drive-------------------------- 89-4
5320 Monarch Drive-------------------------- 89-4
5405 Monarch Drive-------------------------- 89-4
5411 Monarch Drive-------------------------- 89-4
900 Mildred--------------------------------- 118-3
1216 West Main------------------------------ 127-4
1425 West Main (widening approach)---------- 129-3
1425 West Main------------------------------ 139-3
5311 Merchandise Drive---------------------- 244-4
2725 West Main------------------------------ 251-5
4320 Marquette / Kenilworth----------------- 266-5
6417 Melville Drive------------------------- 269-4
4408 Marquette------------------------------ 302-4
1520 West Main Street----------------------- 307-4

1006 McKee Street--------------------------- 69-4
1825 McKinnie Avenue------------------------ 244-3

New Haven Avenue (3927)--------------------- 89-4
4650 Newaygo Drive-------------------------- 302-4
2429 Nordholme------------------------------ 313-3

420 West Oakdale / Dayton Avenue------------ 213-5

3600 Paulding Road (Bunt Road)-------------- 8-5
1406 Pine Valley Drive---------------------- 35-3
2916 Palisade Drive------------------------- 40-3
2606 Palisade Drive------------------------- 76-4
2806 Prairie Grove Avenue------------------- 89-4
2018 Poinsette------------------------------ 327-4

DRIVEWAY PERMITS (continued)

2908 Pinewood Drive------------------------- 89-4
2806 Prairie Grove Avenue------------------- 89-4
2916 Pinewood Drive------------------------- 144-4
1901 - 1911 Production Road----------------- 224-3
1706 Pemberton------------------------------ 269-4
903 Pasadena-------------------------------- 272-4
1324 Pine Valley Drive---------------------- 280-12
3130 Parnell Avenue------------------------- 187-5

201 & 205 Randolph Street------------------- 8-5
318 Rexford--------------------------------- 35-3
Reed Street at NE / corner------------------ 89-4
3333 Regis Drive---------------------------- 144-4
Redfield Drive (entrance)------------------- 187-4
Ridgetree Drive----------------------------- 187-4
Rivertree Drive----------------------------- 187-4
5220 Reed Street---------------------------- 213-5
902 Russell (2)----------------------------- 256-5
3427 Regis Drive---------------------------- 269-4
Temp. Entr. on Randalia--------------------- 320-3
2714 Rosewood------------------------------- 333-4

3806 East State (Denied)-------------------- 1-3
3806 East State (Temporary Entrance)-------- 8-5
2105 St. Joe Blvd.-------------------------- 12-4
102 West Sherwood Terrace------------------- 69-4
3511 Schele--------------------------------- 76-4
324 Superior Street------------------------- 76-4
201 Sherman (2) / Florence------------------ 89-4
201 Sherman (1) Little Turtle Library------ 89-4
105 Santa Lisa Court----------------------- 118-3
010 East State Blvd.----------------------- 133-3
eddlemeyer Ave. 315' east of cl Anthony---- 147-3
329 East State (Nordholme)----------------- 156-4
outh cl/Seddlemeyer and South Anthony------ 163-3
pringhill Drive (entrance)----------------- 187-4
00 block West State Street----------------- 187-4
ast of Spy Run - Anderson Street----------- 198-4
022, 4018, 4024, & 4026 Sheraton Drive----- 201-3
125 & 4117 Sheraton------------------------ 201-3
1628 & 1630 Sprunger----------------------- 220-4
2409 Santa Rosa Avenue--------------------- 235-4
4111, 4105, 4035, & 4029 Sheraton Drive----- 235-4
526 Southview Avenue----------------------- 244-4
3318 Smith--------------------------------- 247-4
205 Seminole Circle------------------------ 266-5
2218 Short--------------------------------- 272-4
1528 Swinney Avenue (alley)---------------- 280-12
7412 Spring Hill--------------------------- 291-6

2722 Thompson Avenue----------------------- 175-5
1311, 1305, 1229, 1223, 1217, & 1204 Trick-- 201-3

U.S. 24 West and Illinois Road------------- 187-4

4110 Victoria Drive------------------------ 209-4

924 Wolverton Drive------------------------ 35-3
3400 block Warsaw-------------------------- 63-9
3936 Wawonaissa Trail---------------------- 193-3
5115 South Wayne--------------------------- 213-5
Wallace Street between Calhoun & Clinton-- 213-5
Washington Center Road (near Sharon Dr.)-- 224-3
5615 Winter Street------------------------- 228-3
Washington Center Road (near Sharon Drive intersection)------------------------- 232-6
1137 Wabash-------------------------------- 244-4
6515 Winter-------------------------------- 244-4
1432 Winter-------------------------------- 247-4
1439 Winter-------------------------------- 247-4
Wood Street-------------------------------- 272-4
North entrance to Wayne Center Plaza on Bluffton Road------------------------- 302-4
4038 South Wayne / on Branning------------- 313-3
1200 block Wells Street-------------------- 327-4

MISCELLANEOUS

American Legion	Parade	11/10/72	5-14
American Cancer Society	Parade	10/29/72	33-8
L.S. Ayres	Decorate trees	11/4-22/72	39-8
American War Mothers	Sell Carnations	5/9-11/73	192-12
American Legion Waynedale Post 241	Parade	5/28/73	229-7
Allen County Veterans	Parade	5/30/73	245-7
2700 blk. Belle Vista & 5900 Allendale Ct.	Block Party (Koch)	5/26-27/73	245-9
Brackenridge beside B.V. Night Club	Park 3 cars (Stier)	6/18/73	271-8
Bethany Presbyterian Church	Parade	8/2/73	332-8
Civic Theater Guild Follies	Parade	2/3/73	122-9
Civic Theater Guild Follies	Put spot light on street	2/8/73	123-13
Charter Ln. bet. Mathias & Clarmarnic	Block Party (Wandmacher)	6/9/73	267-10
Curdes Ave. Missionary Church	Parade	6/16/73	271-7
Disabled American Veterans	Sell Forget-me-nots	5/3-5/73	101-14
Donna Drive	Block Party (Teeters)	7/24/73	326-14
Essex International	Park Cars	5/2/73	225-8
East Dr. bet. Curdes & Dodge	Block Party (Zuber)	8/18/73	312-14
Ft. Wayne Workers of the Blind	Sell White Canes	4/16-28/73	117-16
First Wayne United Methodist Church	Parade	2/4/73	124-19
Ft. Wayne Storage	Park truck	2/5/73	130-8
Ft. Wayne Storage	Park truck	3/2/73	160-12
Farm Labor Aid Committee	Parade	5/30/73	245-8
Franklin Ave. bet. Spring & Fourth	Block Party (Shannon)	8/26/73	293-7
W. Foster Pkwy. at Old Mill & Kimmel	Block Party (Lassus)	7/14/73	304-9
Francis St. from Lewis to Madison	Block Party	8/4/73	358-17
Greenlawn Ave. bet. Short & Cortland	Block Party (Minnick)	5/19/73	242-9
2700 blk. Gay at Pontiac & McKee	Block Party (Thomas)	6/16/73	253-12
Gary Griffin House Mover	Move House	9/26/73	286-38
House of Pines	Christmas Decorations	11/6/72 - 1/1/73	64-11
Hamilton Hunter	Park Cars	3/7-21/73	162-21
Hopewell Drive	Block Party (Harruff)	5/27/73	250-4
ITT Technical Institute	Parade	12/22/73	94-6
ITT Technical Institute	Parade	12/22/73	94-7
Indian Village Community	Parade	6/26/73	289-14
Jaycees of Indiana	Parade	5/12/73	87-13
Jaycees of Indiana	Parade	5/2/73	143-11
Jess Miller Construction	Park Truck	5/6,9-13/73	197-3
Kingsway Dr. at Pacific & Breckenwood	Block Party (Ankenbruck)	7/7/73	304-8
Lutheran Schools	Parade	4/18/73	145-7
W. Main Nazarene Church	Parade	10/21/72	23-8
Mizpah Shrine	Parade	5/19/73	208-7
Midwest Latin American District Council	Parade	5/19/73	242-8
Mizpah Shrine Temple	Parade	7/10/73	273-7
Northern Indiana Baptist Association	Parade	5/26/73	249-3
Northside High School	Parade	3/2/73	160-11
North Side Optimist Club	Sell Jelly Beans	4/18/73	200-11
Northcrest Little League Association	Parade	5/19/73	237-14
Northside Missionary Church	Parade	6/9/73	259-19
500-600 W. Oakdale Drive	Block Party (Clark)	10/31/72	11-6
Old Fort Branch YMCA	Parade	6/2/73	229-6
800 blk. Prange Drive bet. Tacoma & Indiana	Block Party (Fruth)	6/15/73	271-11
4300 blk. Pembroke at Indiana & Westover	Block Party (Baughman)	6/22/73	283-26
Queen of Angels Little League	Parade	5/19/73	242-5
Salvation Army	Christ Kettle Appeal	11/24/72 - 12/27/72	5-13
Snider High School	Parade	10/13/72	9-10
4500 blk. S. Park Drive	Block Party (Smith)	10/28/72	33-7
Strauss Association	Load debris	11/18/72	60-8
Snider High School	Parade	12/5/72	73-8
St. Marys Catholic Church	Parade	1/20/73	116-14
Philip Swinford	Parade	4/29/73	216-9
South Side High School	Parade	5/17/73	242-6
Smith between Pontiac & McKee	Block Party (Burgess)	7/4/73	242-7
Snider High School	Parade	6/1/73	245-11
TB Association	Park X-Ray Cruiser	Fridays--January, February, March	97-6
TB Association	Park X-Ray Cruiser	Fridays--April, May June	180-5
Three Rivers Festival	Parade	7/7/73	216-10
Three Rivers Velo Sports	Parade	6/30/73	271-10
TB Association	Park X-Ray Cruiser	Fridays--July, August, September	273-8
Three Rivers Velo Sports	Parade	7/15/73	308-10
Tennessee bet. Crescent & California	Block Party (Ramsey)	8/22/73	312-13
VFW Posts 857,1006,8147,9500 & 2202	Sell Poppies	5/18-19/73	145-8

MISCELLANEOUS

122 W. Washington (Greenfield Remodeling)	Park truck	5/31/73-6/5/73	255-4
WLYV Radio Station	Raft Race	7/8/73	284-32
N. Washington Rd. bet. S. Wash. & Hawthorne	Association Street Dance	9/8/73	309-11
W. Wildwood bet. Indiana & Beaver	Block Party (Piper)	7/21/73	311-11
Young World Development	Parade	5/5/73	217-11

PETITIONS

ALLEYS SIDEWALKS STREETS SEWERS WATER VACATIONS

(Alley) Between Glenwood Ave. and Kenwood Ave. from epl of Rolston St. Street to wpl of Beacon Street ---------------------------------- 10/5/72 --- 4-7
(Alley) Between 600 block of E. Wayne and E. WAshington Blvd. ----------- 6-4-73 --- 258-15
(Alley) Between Glenwood and Kenwood Avenues ---------------------------- 6-11-73 --- 268-15
(Alley) Between Adams St. & Turpie St. ---------------------------------- 6-26-73 --- 288-7
(Alley) Between Glenwood & Kenwood Aves. from epl of Leroy to wpl of Carew Avenue -- 7-3-73 --- 296-5

(Sdw.) Reynolds Street -- 4/30/73 --- 221-7
(Sdw.) North and South side of Dalewood Drive ---------------------------- 4/30/73 --- 221-8
(Sdw.) South Anthony Blvd. (Paulding to Seddlemeyer Rds.) -------------- 6/26/73 --- 289-15
(Sdw.) Lafayette Place (Pettit Ave., Calhoun St., McKinnie Ave., and Lafayette St.) --- 7/5/73 --- 301-10

(St.) Dalewood Drive -- 3/29/73 --- 192-14
(St.) 1600 lock of Fisher Avenue --- 3/6/73 --- 160-15, 178-5
(St.) Edsall Avenue --- 4/30/73 --- 221-6
(St.) Elmer Avenue (epl of Sherman Street) ------------------------------ 4/24/73 --- 217-15
(St.) Gaywood Drive from spl of Southview Dr. to spl of Belmont Dr. --- 6/11/73 --- 268-16
(St.) Hawthorne Street (Gaywood Dr. to Old Decatur Rd.) ---------------- 5/7/73 --- 230-12

SEWERS

Oakwood Drive from Autumn View Drive to Hessen Cassel Road ------------- 10-10-72 -- 7-6

Freeman Street and Covington Road - Geneva St., Freeman St., and intersection south to Covington Road then east to railroad --------- 10-16-72 -- 17-10

WATER - to serve:

ELMDALE DRIVE -- 10-19-72 -- 22-4
5160 to 5248 LAKE AVENUE --- 6/7/73 -- 261-6
LUDWIG PARK DRIVE FROM RODENBECK DRIVE TO SHARON DRIVE ------------------ 4-24-73 -- 215-5
LUDWIG RD. FROM RODENBECK DRIVE TO HWY. #3 ------------------------------ 6/26/73 -- 288-8
ORLANDO DRIVE FROM RODENBECK TO SHARON DRIVES --------------------------- 4-24-73 -- 215-4
PELHAM DRIVE FROM RODENBECK TO SHARON DRIVES ---------------------------- 6/26/73 -- 288-9
PELHAM DRIVE FROM SHARON TO OREGON DRIVES ------------------------------- 6/26/73 -- 289-16
PINEVIEW DRIVE FROM TRIER TO SOUTHWARD --------------------------------- 7/26/73 -- 331-2
RIVERHAVEN COMMUNITY -- 3-1-73 -- 155-11
STARDALE DRIVE -- 3-15-73 -- 169-3

VACATIONS

(vacation) CHANDLER DRIVE (Autumn View Dr. - Eastland Gardens) -------2-13-73----- 134-6

(vacation) CASSELWOOD TERRACE (Utility Easement) -----------------------5-1-73 ------222-7

PLAN AND PROFILE

SPECIAL SEWERS

B.O. 108-73	Walden Add., Section 2 - Sani. Sewer	5/7/73	229-10
B.O. 109-73	Off-Site Storm & Sani. Sewers - TACO BELL - S. Anthony	5/7/73	229-11
B.O. 173-1972	Jerry Doran Property in Brooklyn Ave. Area (storm sewer)	10/5/72	3-2
B.O. 174-1972	Pheasant Run, Section II	10/5/72	3-3
B.O. 200-1972	Blackhawk Forest Apartments, Phase II	11/28/72	67-10

PLATS

ARLINGTON PARK, SEC. I - 2nd Amendment	211-10
ARLINGTON PARK, SECTION II -- 1st Amendment	211-11
ARLINGTON PARK, SECTION III	212-12
ARLINGTON PARK, SECTION V	325-10
CHERRY CREEK, SECTION I	311-7
COUNTRYSIDE ESTATES, SECTION II	205-10
COUNTRYSIDE ESTATES, SECTION III	132-6
COUNTRYBROOK, SECTION I	93-4
ELDORADO HILLS, SECTION II	110-8
HAVERHILL ADDITION	248-8
IMPERIAL VILLAGE, SECTION I	274-11
LAKE FOREST EXTENDED , Section V	257-9
PHEASANT RUN, SECTION I	4-8
PHEASANT RUN, SECTION II	130-9
RAMBLEWOOD APARTMENTS (Legal discription and dedication)	95-15
SENECA HILLS, SECTION II	204-8
SHOAFF PARK VILLAGE EAST	160-14
TAMARACK ADDITION, SECTION "F"	219-7
TRIXHOLME ADD., SECTION E - 2nd Amendment	248-9
TURTLE CREEK APTS., Phase III	281-17
WALDEN ADD. SECTION II	311-6

PRELIMINARY PLANS

(ALLEY)	Between Adams and Turpie Streets	7/12/73	308-8
(SEWER)	Edsall Avenue Sanitary Sewer	2/13/73	134-5

POLE LINES

North of 3020 Alexander Street-- 238-3
3100 to 3600 Allegany Avenue-- 280-13

Alley east of Broadway Street at approximately 52 ft. south of Wildwood Avenue-- 147-4
4121 Bowser Avenue-- 213-4
Southeast corner of Bayer and Shore Drive----------------------------- 287-4
West right-of-way of Bluffton Road, 15' north of Woodhaven Dr.- pole removed 34' north of Woodhaven Drive------------------------------------- 304-11

Alley east of Clinton Court at approximately 93 ft. south of CL of Darrow Street-- 147-4
East side of Calhoun Street, from Packard to Creighton---------------- 251-3
Alley east of Calhoun Street at 89 ft. north of McKinnie Street------- 251-3
Calhoun Street, east side of Creighton, north to railroad tracks------ 280-13
East side of Clinton Street from Oakdale south to McKinnie------------ 280-13
100 West Concord Lane--- 287-4
Between 437 and 443 Colerick-- 290-4

North R/W of Decatur Road at 440 ft. east of Anthony Blvd.------------ 138-5
East R/W of Decatur Road at 2118 ft. south of Anthony Blvd.----------- 138-5
Decatur Road - 336.5 ft. north of center line of Woodside Avenue on east R/W line-- 198-5
North side of alley south of DeWald Street at 34 ft. west of Hoagland Avenue-- 266-4

Engle Road (west of State Road #1)------------------------------------ 128-6

600 block of Fifth Street--- 310-4

Across from 3709 Grayston Avenue-------------------------------------- 238-3
Across from 3824 Gretna--- 238-3

Hobson Road between Coliseum Blvd. and State Street------------------- 290-4
Hobson Road between State Street and U.S. 30 Bypass------------------ 333-6A

Illinois Road & Lindenwood & West Jefferson--------------------------- 304-11

Between 717 and 723 Kinnaird-- 259-20

Alley east of Lafayette Street at approximately 19 ft. south of Boltz St.-147-4
Lower Huntington Road, west of Ardmore Avenue------------------------- 147-4
East of 2619 Lynn Avenue-- 247-3
East of 2619 Lynn Avenue-- 251-3
Lafayette Street east side, Pontiac Street South to McKinnie Avenue------ 280-13

418 Masterson Street at 7 ft. north of curb and 10 ft. west of alley----- 147-4
(Alley) South of Main Street west of Barr Street---------------------- 181-4
Maumee Avenue East from Washington to Anthony on north side of Street; Washington from Anthony East to Old Maumee---------------------------- 224-4
4600 Monroe Street-- 313-5

Oliver Street from McKee and Eckhart Streets-------------------------- 256-4

POLE LINES (continued)

South R/W of Pettit Street at approximately 420 ft. west of Calumet---------- 147-4

South of 4021 Robinwood Drive--- 213-4
Between 2926 and 2930 Reed Street--- 213-4
North side of alley behind 1516 East Rudisill Blvd. approximately 9 ft. east
of existing pole 77501 - 1516--- 251-3
1700 Richardson Street-- 313-5

3300 and 3400 Smith Street-- 287-4

Washington Blvd. at Cloverleaf (1000 ft. to west) south side of road-------- 163-4
Wayne Trace (west of Fleming)--- 238-3
South of 3406 Winter Street--- 251-3
Southeast corner of alley at 415 West Wildwood------------------------------ 259-20
Warsaw Street north of Agnes (west side of street) and South Monroe Street
north of Wiebke Street (west side of street)-------------------------------- 290-4

PURCHASE ORDERS

BOARD OF PUBLIC WORKS

11884	Planters, Receptacles, Benches	Landscape Forms, Inc.	$18,027.00	12/21/72	94-9
11937	Hydraulic Sweeper & attachments	Tennant Company	$ 6,426.00	1/3/73	-101-12
14543	Mowing Equipment	Allen County Tractor	$10,802.98	4/4/73	-195-12
14720	Four Wheel Sweepers	Ries Equip. Co.	$42,750.00	4/18/73	-211-8

CITY UTILITIES

0192	Triplex Service Wire	GRAYBAR ELECTRIC CO.	$59,940.00	11/3/72	-39-5
0292	Chloride Solution	Dow Chemical Co.	$	5/10/73	-234-5
0293	Liquid Alum for WPC Dept.	Allen Chemical Co.	$	-5/10/73	-234-6
0831	Lamps	GRAYBAR ELEC. CO.	$ 8,233.00	-6/21/73	-283-27
0832	Concrete Poles	UNION METAL MFG. CO.	$19,296.50	-6/21/73	-283-28
0868	Aluminum PEDESTAL Poles	GRAYBAR ELECTRIC CO.	$51,631.00	6/21/73	-283-31
0869	Light Poles	PREFERRED PROD. SALES	$32,655.75	6/21/73	-283-29
0871	Luminaires	GENERAL ELECTRIC CO.	$85,295.00	6/21/73	-283-30
0987	Truck Bodies	ERNST TRUCK EQUIP. CO.	$12,459.80	6/21/73	-284-33
0988	PANEL Wagons	INTERNATIONAL HARVESTER	$ 9,180.00	6/21/73	-284-34
0989	Pick-up Trucks, cabs & Chassis	(see page 285)	$38,600.52	6/21/73	-284-35

8310	1057 Charlotte (Mrs. Parcher) Sanitary Sewer Connection --	LAND EXCAV., Inc.	$ 1,366.23	12/19/72	- 90-8
9008	Purchase of Real Estate (re: Wallace St. Substation)	REDEVELOPMENT COMMISSION	$21,903.50	1/15/73	-111-19
9568	HIGH PRESSURE SODIUM LAMPS	GENERAL ELECTRIC CO.	$ 2,310.00	2/21/73	-142-7
9569	LIGHTING POLES (Single & twin arms)	LESTER SALES CO.	$16,636.00	2/21/73	-142-7
9570	LUMINAIRES	GENERAL ELECTRIC CO.	$ 9,800.00	2/21/73	-142-7
9646	TRIPLEXED DROP WIRE	GRAYBAR ELEC. CO.	$ 7,050.)0	3/6/73	-161-18

CIVIL-CITY

13203	Van Type Truck 1973	ALLEN COUNTY MOTORS CO.	$ 3,190.00	2/21/73	-143-8
13204	1/2 T Pick-up Truck	ALLEN COUNTY MOTORS CO.	$ 2,440.00	2/21/73	-143-8

RESOLUTIONS --- MAIN SEWERS

	214 -	ST. MARY'S INTERCEPTOR SEWER	204-9
	233-69 -	CONVEYANCE OF PHOSPHATE PILOT PLANT - Grant 11060 DXX	84-13
	249 -	SEWER PROJECT, SEC. II - WS-IND -78 INNER CITY STORM SEWER SECTION II	48-10
	253-	BLACKHAWK JR. HIGH SCHOOL - Sani. Sewer	42-8
	260 -	STORM WATER OVERFLOW DEMONSTRATION	200-13, 257-10
	264 -	U.S. 30 BYPASS STORM DRAIN	19-10, 54-13
	266 -	ST. JOE RIVER INTERCEPTOR, SECTION V	243-12, 263-14, 275-3, 279-4, 316-7
MODIFIED	267 -	ST. JOE RIVER INTERCEPTOR, SECTION VI	243-12, 263-15, 275-4, 279-5, 317-8
	268 -	ST. JOE RIVER INTERCEPTOR, SECTION VII	243-12
	269 -	ST. JOE RIVER INTERCEPTOR, SECTION VIII	243-12
	270 -	ST. JOE RIVER INTERCEPTOR, SECTION IX	243-12
	271 -	ST. JOE RIVER INTERCEPTOR, SECTION X	243-12, 263-16, 275-5, 279-6,
	272 -	ST. JOE RIVER INTERCEPTOR, SECTION XI	243-12, 264-17, 276-6, 279-7, 317-10
MODIFIED	273 -	ST. JOE RIVER INTERCEPTOR, SECTION XII	243-12, 264-18, 276-7, 279-8,
	274 -	ST. JOE RIVER INTERCEPTOR, SECTION XIII	243-12
	275 -	ST. JOE RIVER INTERCEPTOR, SECTION XIV	243-12, 264-19, 276-8, 279-9,
	276 -	ST. JOE RIVER INTERCEPTOR, SECTION XV	243-12, 264-20, 276-10, 280-1, 318-13
MODIFIED	277 -	ST. JOE RIVER INTERCEPTOR, SECTION XVI	243-12, 265-21, 276-9, 280-11, 318-14
	279 -	LARGE SCALE DEMONSTRATION OF TREATMENT OF STORM CAUSED OVERFLOW NO. 11020 GYU	20-13, 67-14, 142-6, 168-11, 186- 9,

RESOLUTIONS --- LOCAL SEWERS

842 -	EDSALL AVENUE	153-2, 189-1, 226-1, 292-1, 315-3
848 -	HOMEWOOD ADDITION	43-3, 99-3, 103-5, 153-1-A, 208-6
852 -	EASTWICK AND REED ROADS	167-6,
857 -	TRIXHOLME ADDITION (Easement #115)	25-7, 52-5, 79-5, 99-4, 103-6, 185-7, 258-13, 318-15, 318-16
858 -	THOMPSON'S THIRD ADDITION	97-4, 115-9, 121-5
860 -	ALMA AVENUE	21-1
863-	AREA OF WINCHESTER AND LOWER HUNTINGTON ROADS	13-7, 45-6, 52-6, 77-7, 109-7,

RESOLUTIONS - DECLARATORY

1302	vacation	SECOND ALLEY WEST OF WELLS STREET - (Louisedale Add.)	3-1, 43-2
1306	vacation	Alley - between Fairfield and So. Wayne	43-3, 86-7
1309	vacation	MURRAY AND WALLACE	60-6, 86-8
1314	vacation	DARROW AVE. (Calhoun to Clinton Court)	100-6
1319	condem.	SOUTH SIDE OF STATE BLVD.	10-1
1323	vacation	WABASH AVE. from the spl of Washington Blvd. to npl of Humphrey Street	19-6, 33-5
1324	vacation	Alley - between Wabash Ave. and Glasgow Ave. from spl of Washington to npl of Humphrey	18-5, 33-6
1325	vacation	Alley - between Bowser Ave. and Holton Ave. (Creighton)	24-5, 51-2
1326	vacation	RIVERVIEW DRIVE from the easterly right of wayline of Edgewood Ave. to the westerly right of wayline of Clinton Street	25-6, 51-3, 66-5, 86-9
1327	vacation	MERCER AVE. from spl of Ventura Lane to the npl of Farwood Avenue	41-6, 90-6
1328	vacation	WALL STREET in Swinney's Addition	55-4, 86-10, 137-1, 148-6, 169-1
1329	vacation	Alley - between Bowser Ave. and Holton Ave. from npl of the first alley north of Creighton Ave. to spl of the second alley north of Creighton Avenue	13-6, 57-5, 87-11, 100-7 125-1, 137-2
1330	vacation	CALHOUN STREET (Sixth to Putnam)	113-6, 137-3, 241-1
1331	vacation	PUTNAM STREET (Harrison - Calhoun)	113-7, 138-4, 241-2
1332	vacation	DOCK STREET	148-7, 154-4, 190-4
1333	vacation	COLUMBIA STREET - epl of Calhoun to wpl of Lafayette St.	148-8, 159-6, 179-1,
1334	vacation	Alley - north of Main Street epl of Clinton to epl of Lafayette	148-9, 159-7, 179-2
1335	vacation	Alley - east of Barr Street - npl of Main, spl of Columbia Street	148-10, 159-8, 179-3
1336	vacation	BARR STREET from npl of Main St. to south right of way line of N & W Railway Co.	149-11, 159-9, 179-4,
1337	vacation	HYSTONE DRIVE	157-7, 190=5, 201-5, 218-1
1338	vacation	CHANDLER DRIVE from wpl of Autumn View Drive to west terminus	164-6, 197-1, 202-6, 218-2
1339	opening	STRATFORD ROAD	261-7, 299-1, 329-9,
1340	vacation	GLENWOOD AVENUE	239-6, 278-1, 321-6,
1341	vacation	CASSELWOOD TERRACE	262-9, 299-2, 321-7,
1342	condem.	CURDES SOUTH ACRE ADD.	257-7, 292-3, 302-7, 315-1
1343	condem.	SOUTH SIDE OF TILLMAN AVE. area	257-8, 292-4
1344	vacation	Alley - west of Griswold Drive from wpl of Anderson	261-8, 299-3, 321-8
1345	vacation	Alley - between Harrison and Cass Streets	262-10, 300-4, 321-9
1346	vacation	Alley - second alley north of Sixth Street	262-11, 300-5, 321-10
1347	vacation	Alley - first alley so. of Creighton - between Hanna and Weisser Park Ave.	270-6, 315-2, 329-10

RESOLUTIONS

ALLEYS - SIDEWALKS - STREETS

5527-1968	(street)	Betty Avenue	142-5, 152-4, 202-8,
5549-70	(alley)	Esmond and Wildwood Ave.	90-7, 119-7,
5550-70	(alley)	Madison Street - Lewis, Monroe & Clay area	9-7
5451-68-W	(sdw.)	Downtown Sidewalk - Block 18	10-3, 19-8,
5451-68-X	(sdw.)	" " " 10	19-9, 51-1, 62-4
5451-68-Y	(sdw.)	" " " 14	41-5, 83-9
5451-68-Z	(sdw.)	" " " 2	60-7, 85-2, 101-11
5604-1971	(street)	Dodge Avenue	116-15, 185-6, 203-3,
5605-72	(street)	Radcliffe Dr. from the spl of Paulding Rd.	2-8,
5606-72	(alley)	bet. Glenwood Ave. and Vance Ave. from epl of Carew St. to wpl of Rolston St.	10-2, 19-7,
5607-72	(alley)	North of Tennessee Avenue	83-7, 119-8,
5609-1972	(alley)	bet. Lewis and Hugh Streets	314-7
5610-1972	(sidewalk)	south side of Vance (Devon - Kingsley)	63-6, 85-3, 100-10
5612-1972	(street)	Bradwood Terrace	53-12, 62-5, 85-5,
5613-1972	(sdw.)	south side of Vance Avenue (Glencairn - Devon)	63-7, 84-5,
5614-1972	(sdw.)	south side of Vance Avenue (Kingsley)	63-8, 119-5
5615-1972	(sdw.)	south side of Vance.	199-8, 202-7,
5616-1972	(sdw.)	south side of Vance (Coliseum to Inwood)	232-5, 301-8,
5617-1972	(sdw.)	south side of Vance Avenue	83-8, 119-6
5619-1972	(sdw.)	north side of Taylor St. from easterly pavement edge of Portage - wcl of Freeman St.	9-8, 318-17
5620-1972	(alley)	bet. Dewald & Creighton	314-8
5621-1972	(street)	Ley Road	66-7, 113-9, 129-5, 145-6, 229-9, 267-8,
5622-1972	(sdw.)	East side of Hessen Cassel Rd. from scl of Paulding Road	9-9, 233-4, 236-6,
5624-1972	(sdw.)	South side of State Blvd. - Randallia Dr.	43-1, 85-1
5625-1972	(sdw.)	south side of State Blvd. - Hobson Rd.	6-3, 8-3, 47-5, 302-6, 331-1,
5626-1972	(sdw.)	Dunnwood Drive from the westerly pavement edge of Spy Run	2-6, 22-6, 229-8,
5627-1972	(sdw.)	North side of West State Blvd. at Jessie Ave.	2-7, 48-6, 126-4, 246-13, 281-18
5628-1972	(alley)	bet. Kinnaird and Packard Ave.	157-6, 190-3, 203-1, 225-6, 246-16
5629-1972	(sdw.)	North side of Colerick Street.	175-6, 203-2, 219-4,
5630-1973	(sdw.)	East side of Calhoun ST.	178-6, 218-3, 233-2,
5631-1973	(sdw.)	Hobson Road and Vance Avenue.	210-7, 241-3, 254-2,
5632-1973	(sdw.)	West side of Calhoun Street	202-10, 233-1, 249-1,
5633-1973	(sdw.)	South side of Vance Avenue	226-3, 239-8, 278-2,
5634-1973	(alley)	Brooklyn Avenue	239-7, 278-3, 300-7,
5635-1973	(curb, sdw. & st. repair)	Lafayette St. (Main to Columbia)	230-13, 245-6, 267-7, 332-6,
5636-1973	(paving, sidewalk and lighting)	Dalewood Drive	273-5, 316-6
5637-1973	(st.)	Fisher Street	281-16, 316-6,
5638-1973	(street resurfacing)	(20 area streets)	297-8, 325-7
5639-1973	(alley)	Glenwood and Kenwood Avenues	328-6
5641-1973	(street)	Elmer Avenue	328-7
5642-1973	(alley)	Sherman Blvd. & Oakland Avenue	328-8

(Continued - from Page 14) RESOLUTIONS -- MISCELLANEOUS

RESOLUTION NO.		
57-6-13	ADDENDUM TO RESOLUTION SJ2, SJ5, SJ6 & SJ7	68-16
59-50-6	Re: Public Personnel Program (R-51-72)	50-6
59-39-6	Re: Wrecking of Downtown Buildings	39-6
59-61-11	Re: Emergency repairs sewer cave-in	61-11, 66-8, 326-13
59-71-14	Petition to Indiana Public Service Commission	71-14
59-74-11	Storm Sewers - Water Facilities and sewer lines	74-11
59-75-12	Water Transmission Mains	75-12
59-80-11	Conduit at back of the curbline (ord. #2659)	80-11
59-170-5	Infiltration Study, Phase I	170-5
59-171-6	Southeast Sewage Collector Systems	171-6
59-172-7	Lakeside Storm Relief Sewers	172-7
59-173-8	Master Plan Sanitary Interceptors	173-8
59-196-17	Emergency Repair - Lafayette St. Railroad Elevation	196-17
59-294-8	Goshen Road-Burma Road (Nobis-Westropp $53,626.07)	294-8
59-309-12	U.S. Hwy. #27 (Northrop St. to Interstate Hwy. #69)	309-12

RESOLUTIONS - WATER

CONTRACT NO.		
1001 ---	EASTLAND GARDENS ADD. SECTION "A"	4-9
1002 ---	STINSON'S FIRST SUBDIVISION	4-10
1003 ---	WOODLAND ACRES ADDITION	70-6, 93-1, 105-5, 109-6, 134- 125-3
1004 ---	EASTLAND GARDENS ADD. SECTION "B"	140-9, 165-1, 185-5, 188-6, 202-9,
1005 ---	HOMEDALE DRIVE - all in Hickory Grove Add. Sec. "A"	37-8, 53-10, 72-4, 77-6, 97-5
1006 ---	HICKORY GROVE ADDITON SECTIONS B & C	110-9, 125-2, 141-4, 152-5, 167-8

RESOLUTIONS - MISCELLANEOUS

PURCHASE of: Lewis Addition Lot No. 211 from: J. H and Annie R. Cook -- 12/19/73 ..

AGREEMENT TO PURCHASE: S.E. corner of Lafayette and Wildwood
from Janet Sundheimer -- 12/21/73 -- 95-

PURCHASE of: 415-19 and 440- 444 E. Wallace -
from Ohio Plate Glass Co. -- 12/21/73 -- 94-

AGREEMENT: between Peoples Buying Club & City
2502 Winter St. -- 6/7/73 -- 263-1

RES. # 59-106-7 AGREEMENT TO SELL parcels of land to Redevelopment Dept.
(Known as Old Fire Station No. 1) ----------------------------1/9/72 -- 106-7

SALE OF PROPERTY : GREENWAY CORP. (Dam Site and Guard Bank) ------------------3/29/73 - 192-1

EMERGENCY REPAIR: Lafayette St. Elevation ----------------------------------5/3/73 - 227-6

RESURFACING OF ALLEY - Between Wildwood and Kinnaird Avenues -------------------5/3/73 - 227-7

CONVEYANCE TO CITY - PHOSPHATE PILOT PLANT (Res. 233-69) ---------------------12/12/72 -84-13

Page

MISCELLANEOUS

ADOPT FEE SCHEDULE FOR CUT PERMITS - Res. #101-15 ---------------------------- 101-15

CANCELLATION OF Res. # 59-11-7 - re : AGREEMENT with National Cash Register
(withdraw Bill S-72-09-05) ----------- 11-7

COMMUNITY EDUCATIONAL ENVIRONMENTAL FILMS - Res. 59-146A-12 ----------------- 146A-12

CONTRIBUTION IN LIEU OF TAXES - City Utilities ------------------------------ 214-7

"CONSENT TO ENCROACH" = Mill Run Phase #1 ----------------------------------- 154-5

GENERAL RULES AND REGULATIONS FOR THE FORT WAYNE WATER POLLUTION
CONTROL UTILITY -- 84-12

INDIANA SUBURBAN SEWERS, INC. -- 162-22, 138-6, 168-
......(ord. S-11-73) authority to bid at foreclosure sale.......

RATE INCREASE - City Light Res. #59-34-14 ---------------------------------- 34-14

REPAIR OF CURB, SIDEWALK AND STREET -- 227-4

SEWER EMERGENCY REPAIR ------- (alley) north of State and Rolston. --------- 268-13
1400 block of Columbia and Edgewater. ------- 267-12
1200 block of Spy Run Ave. ------------------ 267-11

UNPAID BILLS --------write-off -- 67-12, 116-12,
120-11, 161-19, 194-6,

SEWAGE WORKS PROJECT

INTERIM PHOSPHORUS REMOVAL SYSTEM

Contract and Bond of Shambaugh & Son, Inc. ------- See Book 58 - Page 262

Change Order No. 1	$812.00	1/15/73	110-13
Invoice No. 1	$3,528.00	3/8/73	164-7
Invoice No. 2	$19,797.30	4/9/73	199-7
Invoice No. 3	$ 2,137.50	5/14/73	236-11
Invoice No. 4	$12,325.50	5/22/73	246-15
Invoice No. 5	$ 6,385.50	7/16/73	312-14

INTERIM PHOSPHORUS REMOVAL SYSTEM

HENRY B. STEEG & ASSOCIATES, INC. (inspection)

Claims Nos. 1 & 2	$483.58 and $612.14	1/29/73	123-18

WATER POLLUTION CONTROL FACILITIES IMPROVEMENT -- See Book 58 for AGREEMENT

HENRY B. STEEG & ASSOCIATES, INC. - Agreement of April 27, 1971 - Sp. Ord. S-688-71

Part. Pay. Est. No. 10	$ 647.92	3/29/73	91-7
Part. Pay. Est. No. 11	177.38	7/9/73	304-10
Part. Pay Est. No. 12	401.75	7/23/73	322-15

DEMONSTRATION OF PHOSPHATE REMOVAL AND OTHER WASTEWATER TREATMENT TECHNIQUES

HENRY B. STEEG & ASSOCIATES, INC. Agreement of July 15, 1968

Partial Payment Est. No. 11 --(FINAL)	$10,780.00	1/15/73	111-15

LARGE SCALE DEMONSTRATION OF STORM CAUSED OVERFLOW PROJECT 11020 GYU - Agreement of June 2, 1971

HENRY B. STEEG & ASSOCIATES, INC. (Engineering)

Invoice No. 13	$29,862.76	12/19/72	91-16
Invoice NO. 14	775.40	1/29/73	122-11
INVOICE No. 15	2,749.42	2-20-73	140-8
Invoice No. 16	2,092.43	3/27/73	185-8
Invoice No. 17	576.81	5-1-73	223-8
Invoice No. 18	1,755.49	5-14-73	236-12
Invoice No. 19	1,342.53	6-21-73	282-19

SEWER TAP PERMITS (RE-IMBURSEMENTS)

SC-63-4	3322 Mono Gene Drive	HOEVEL DEVEL. CO.	$ 744.00	53-11
SC-63-5	Lots 5, 6 & 66 in Rolling Green	Dav-Way Realty	$ 177.18	92-23
SC-63-5	4203 Hessen Cassel Road, 4903 Wayne Trace and Lot 423 Fairfax - 2nd Add.	Dav-Way Realty	$ 177.18	92-24
SC-64-2	Washingtonuare Shopping Center	Indiana Baptist Homes	$3600.00	140-5
SC-64-3	4801 Hatfield Road	ALTON P. HOWER & FORTMEYERS TRUCK STOP, INC.	$ 460.41	36-7
SC-66-1	204 W. Hoover and 120 E. Hoover	GANDY DEVELOP. CORP.	$ 534.75	4-6
SC-68-2	3401 Coliseum Blvd. W.	TRUCKOMATIC, INC.	$ 599.40	50-5
SC-71-1	204 E. Hoover and 120 E. Hoover	FAIRVIEW LANDS, INC.	$2498.04	4-5
SC-72-4	CANTERBURY GREEN SHOP. CENTER - Phase 5 -	RIVIERA PLAZA	$19,668.80	37-9

SPECIAL STREET PERMITS

LAKERIDGE DR. - Mill Run Addition	RALPH SHIRMEYER, INC.	71-11
MAYCREST DRIVE (acceptance)		94-5
MILL RUN DRIVE (Mill Run Add. Phase I) - street, sidewalk and lighting		277-12

SEWAGE WORKS PROJECT

INTERIM PHOSPHORUS REMOVAL SYSTEM

Contract and Bond of Shambaugh & Son, Inc. ------- See Book 58 - Page 262

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Invoice NO. 14	775.40	1/29/73	122-11
INVOICE No. 15	2,749.42	2-20-73	140-8
Invoice No. 16	2,092.43	3/27/73	185-8
Invoice No. 17	576.81	5-1-73	223-8
Invoice No. 18	1,755.49	5-14-73	236-12
Invoice No. 19	1,342.53	6-21-73	282-19

STREET CUT PERMITS
SEWAGE WORKS PROJECT
WATER IMPROVEMENT PROJECT

SPECIAL SEWER - PERMITS

and

AGREEMENTS

ARDMORE PLAZA STORM SEWERS	YOST COMPANIES, INC.	195-14
ARDMORE SEWER EXTENSION	SPY RUN ENTERPRISES, INC.	22-7, 169-2
BLACKHAWK FOREST APTS. PHASE II - Bldgs. 11-25	DON SHIVE, INC.	91-13
BULLERMAN PARK FOREST - Storm Sewers ONLY		161-16
CAMBRIDGE SQUARE PHASE II (acceptance)	NOBIS CONSTR. CO.	95-12, 268-17
COLONY HEIGHTS EXT.		195-13
COUNCIL DRIVE - Sani-Sewer Ext.	BERCOT, INC. (acceptance)	16-9
CROWN COLONY SEC. "C"	JOHN DEHNER, INC.	296-6
JERRY DORAN PROPERTY (Brooklyn Ave.)		205-11
ELZEY'S 4th Add. Lots 137 & 138		204-5
EUREKA PARK ADD. - Lot 155	MATHILDA R. STOLZ	136-7
EVANS STREET	FRENCH CONST. INC. (acceptance)	84-15
EVANS AND ORMSBY STS.	MARS OIL CORP.	90-11
FIRST MISSIONARY CHURCH STORM SEWER	JOHN DEHNER, INC. --(acceptance)	126-6
GEORGETOWN SQUARE EXTENDED	Sewer Agreement between Lake Forest Gardens and City of Fort Wayne.	17-12, 95-13,
HADLEY ROAD RACQUET CLUB - (acceptance)	YOST CONST. COMPANY	90-12, 110-10
HESSEN CASSEL BRANCH - Ft. Wayne Library	BERCOT, INC.	34-10
HOBSON RD. - LAKE AVE. STORM SEWER		204-7
KERNS TOYLAND, INC.	HARLEY GRAHAM CONST. CO.	111-16
LAKE FOREST EXTENDED- Sec III	NEIMEYER CORP.	254-3
LOWER HUNTINGTON ROAD - & Winchester Rd.	MARATHON OIL CO.	90-10
MEDICAL OFFICE BLDG. Fairfield & Home Aves.	BERCOT, INC.	67-13
MILL RUN PHASE II	R. L. SCHIRMEYER, INC.	79-8
NATIONAL PLASTICS, INC. Industrial Road	PHILIP M. & CLAIRE A. CLEMENS	42-9
NORTON MOTEL BLDG. - So. of Maumee		191-8
OLD TRAIL ROAD (Anthony Wayne Bank)	JOHN DEHNER, INC.	106-6
PHEASANT RUN ADD (Block "B")	SHIRMEYER ASSOC., INC.	73-10
PHEASANT RUN ADD. PHASE II	SHIRMEYER ASSOC., INC.	252-8
PROGRESS ROAD westerly - subdiv. of lot 18	FULLER CONST. CO.	116-11
PROGRESS ROAD	EICKHOFF EXCAV. (acceptance)	227-5
SOUTH TOWNE SQUARE STORM & SANI. SEWER	JUSTUS ENTERPRISES.	219-8 & 9
SAMBO'S RESTAURANT - Lake Ave & U.S. 30 by-pass	LAND EXCAV. CO.	83-10
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1958 W/Fourth	207-5
2128 Fox	207-5
2021 Franklin Avenue	213-6
1243 Fletcher	228-4
3735 Forest Hill	235-5
539½ Forest Avenue	235-5
2431 Fox	238-5
27-5 Fox	238-5
2302 Forest Park (alley)	260-4
1919 Forest Park Blvd. (bore-parkstp)	266-6
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Glenn Avenue	62-3
8916 Greenbay	62-3
9212 Greenbay Drive	62-3
1324 Grant (alley)	81-4
3404 Glenhurst	102-4
2221 Gay	144-5
2217 Gay	184-4
2905 Gay	184-4
3033 Goshen Road	228-4
Gerke W/Calhoun	260-4
Greenwood cl of Illinois	260-4
Glasgow N/Randall	266-6
1336 Goshen Road (parkstp)	9-6
2710 Gay	32-4
110 Grand Street	35-4
1119 Grant Avenue	38-4
2245 Gay Street	38-4
2728 Greenview (parkstp)	40-4
Gable Road N/Winter Street	69-3
1331 Gay & Eliza (1 Gay)	88-3
6109 Guild	96-3
Gay & Eliza (2)	127-5
Garcia & Bowstring	127-5
909 Grant	127-5
Grant and Wayne	127-5
7124 Great Bear Court	128-5
8910 Greenleaf Drive	133-4
1123 Grant	139-4
3915 Grayston	156-5
6121 Guild	158-5
2414 Glenwood	201-4
2730 Glenwood	201-4
1325 Grant	201-4
Greenlawn & St. Mary's	222-5
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404 Hawthorne	1-5
6624 Hessen Cassel (parkstp)	1-5
2611 Holton	1-5
4937 South Harrison	6-5
6432 Hessen Cassel Road)parkstp)	9-6
Hugh - E/Hanna	18-4
700 Hanover - N/Berry Street	24-4
800 Hanover	32-4
Hobson Road	32-4
N/Huffman E/Franklin (alley)	32-4
Hugh & Francis	32-4
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2948 South Hanna on Colerick Street	38-4
3601 Hessen Cassel Drive	38-4
Hobson Road at Eastwood Drive	38-4
5309 Hoagland Avenue	38-4
735 High Street	38-4
Hickory and Mulberry	40-4
Hobson Road Locust Lane, Mayberry Street, Roseview Road, and Plymouth Street	40-4
6915 Hessen Cassel Road	47-4
3701 South Harrison	55-3
High Street	62-3
7010 Hessen Cassel Road	69-3
1153 Harmar	76-5
7020 Hessen Cassel Road (parkstp)	76-5
7108 Hessen Cassel Road (parkstp)	76-5
1148½ South Hanna (alley)	81-4
3106 Hoagland	81-4
Hanover, south of railroad	88-3
5725 Hatfield Road	88-3
1712 Hawthorne	88-3
5102 Hoagland	88-3
Homewood Drive	88-3
2102 Hazelwood	96-3
735 High Street	102-4
Homedale, Hessen Cassel Road	102-4
Hanna / Wallace	112-5
2539 Holton	112-5
3100 Harvester at Perth	118-4
605 Hayden (alley)	118-4
2015 Hensch	118-4
Hanna and Hayden	128-5
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1413 South Hanna (alley)	133-
8918 Hemphill Drive	133-
Hoagland and Arcadia	133-
Hugh and Hanna	133-
1526 North Harrison	133-
1200 Hayden (4)	139-
1524 Hayden	139-
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Hobson Road - West side	158-
Homedale Drive	163-
707 Home Avenue	163-
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1237 Hayden	174-
1524 Hayden	181-
2821 Hazelwood	181-
1601 High	181-
High and Schilling	181-
3019 Hoagland (alley)	182-
2736 Hoevelwood Drive	182-
614 Home	184-
826 Hugh (alley)	184-
620 & 632 South Harrison	188-
5012 South Harrison	193-
717 High	193-
Hoagland and Wildwood	193-
610 Home	193-
1815 Howell	193-
High and St. Mary's	207-
4037 Hampton	222-5
1631 North Harrison	222-5
835 Hamilton	224-5
1326 Hugh	228-
2821 Hazelwood	228-
2514 South Hanna	238-
3533 South Hanna (alley)	238-
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3424 Heritage	260-
Hoover W/Calhoun	260-
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2115 Harrison (alley) R/O	281-1
2811 Hazelwood	281-1
1767 and 1745 Hale	288-6
811 High	288-6
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2651 Indiana Avenue	9-6
3204 Illinois Road (Old)	9-6
2657 Indiana Avenue (bore-parkstp)	13-5
6801 Ideal	32-4
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Ideal N/Lower Huntington Road	40-4
4622 Industrial Road (bore-parkstp)	76-5
4801 Indiana	88-3
4417 Industrial Road	88-3
5727 Industrial Road	109-5
1604 Inwood Drove	118-4
4515 Industrial Road	158-5
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2914½ Indiana	188-5
4404 Indiana	188-5
702 Irene	188-5
5425 Indiana	193-5
2812 Inwood	193-5
1209 Illsley	207-5
4635 Innsbruck Drive	210-5
7219 Ideal	213-6
1618 Inwood Drive	220-5
1919 Ida	228-4
4832 Illinois Road	228-4
Indiana and Fairfax	244-5
4516 Innsbruck Drive (bore-parkstp)	244-5

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904 East Jefferson Street---------------- 69-3
731 East Jefferson Street (alley)-------- 139-4
302 West Jefferson Street (alley)-------- 139-4
2324 John Street------------------------- 144-5
302 West Jefferson----------------------- 182-5
731 East Jefferson----------------------- 182-5
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2102 John Street------------------------- 188-5
711 West Jefferson Street (alley)-------- 193-5
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6010 Kiwanis----------------------------- 13-5
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2415 Kenwood (alley)--------------------- 38-4
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4940 Kyle Road--------------------------- 81-4
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6014 Kiwanis Drive----------------------- 105-4
6018 Kiwanis Drive----------------------- 133-4
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6017 Kiwanis Drive----------------------- 139-4
6915 Koester Drive----------------------- 139-4
1334 Kitch------------------------------- 144-5
2220 Kenwood----------------------------- 147-5
6111 Kiwanis Drive----------------------- 166-5
6013 Kiwanis Drive----------------------- 177-4
6014 Kiwanis Drive----------------------- 177-4
6017 Kiwanis Drive----------------------- 177-4
6018 Kiwanis Drive----------------------- 177-4
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824 Kinnaird (alley)--------------------- 182-5
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2200 Lower Huntington Road (parkstp)----- 33-4
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1329 East Lewis Street------------------- 38-4
918 Loree (alley)------------------------ 38-4
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  Roseview Road, Plymouth Street--------- 40-4
2813 Lillie Street----------------------- 55-3
5918 Lima Road--------------------------- 55-3
Lake , Vermont, Randalia----------------- 62-3
2412 Lillie Street----------------------- 65-4
915 South Lafayette---------------------- 69-3
6929 Ludwig Circle----------------------- 76-5
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2200 Laverne----------------------------- 88-3
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Lafayette and Murray--------------------- 96-3
4711 Lafayette--------------------------- 96-3
1643 Lakeview---------------------------- 96-3
1616 Lakewood (2)------------------------ 96-3
Leo Road (Holiday Theater)--------------- 96-3
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1615 East Lewis-------------------------- 182-5
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531 East Lewis--------------------------- 182-5
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1905 Lawndale (alley)-------------------- 193-5
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1705 Lakeview Drive---------------------- 207-5
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2508 Lillie Street----------------------- 224-5
2826 Lillie Street----------------------- 228-4
1515 Lumbard----------------------------- 228-4
316 East Leith--------------------------- 244-5
3130 Lafayette Street-------------------- 247-6
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3401 Maumee------------------------------ 33-4
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427 Masterson Street	38-4
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716 Madison (alley)	69-3
4855 Mamie Drive (parkstp)	69-3
4979 Mamie Drive (parkstp)	69-3
922 Morrow Way	76-5
1108 Maumee (alley)	81-4
3116 Maumee Avenue	81-4
3606 Maumee Avenue	81-4
915 Milton	81-4
3816 Maplegrove	88-3
3930 Mobile	88-3
1810 Magnavox	96-3
1400 Martin	96-3
901-917 Mildred (3)	96-3
5304 Monarch	96-3
5311 Monarch	96-3
5320 Monarch	96-3
5405 Monarch	96-3
5411 Monarch	96-3
3322 Mono Gene Drive	96-3
2119 West Main Street	102-4
2100 West Main Street	102-4
2409 & 2417 West Main Street	102-4
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831 Milton	112-5
7211 Mowhawa Drive	112-5
1924 Maplewood	121-4
McKee / SW corner Radcliffe Street	128-5
Manford and Radcliffe	129-4
2418 and 2424 Manford	129-4
1216 West Main (alley)	133-4
Mulberry and Ardmore	139-4
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7206 Miahqueah Drive	144-5
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Masterson E/Lafayette (alley)	147-5
3437 Marias Drive	158-5
7226 Miahqueah Drive	158-5
7230 Miahqueah Drive	158-5
7225 Miahqueah Drive	158-5
1815,1923,1424,1317,1633,1621,& 2421 W. Main Street	174-4
1404,1113,and 3126 Maumee	174-4
3911 Mobile	174-4
3021 South Monroe	175-5
1216 South Monroe	175-5
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2321 Manford (East Abbott)	224-5
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2401 Montclair	252-6
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4834 Mamie Drive (bore-parkstp)	288-6
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McKee, Queen, Radcliffe, and Arnold	7-5
2932 McCormick	33-4
1136 McCulloch	33-4
1006 McKee	33-4
1136 McCulloch Street	38-4
2317 McKinnie	40-4
5009 McClellan	65-4
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1217 McCulloch	228-
1409 McCulloch	228-
1425 McCulloch (alley)	260-
McArthur N/Baer Field Road	270-
1208 McClellan	281-

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2906 New Haven	13-5
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Newport, Ridgewood, Parkhill	13-5
1017 Northwood	33-4
Newport at Ridgewood	35-4
4423 North Drive (parkstp)	40-4
5320 Northcrest Drive	40-4
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2034 Nuttman	81-4
540 Nettie	88-
Nevada Avenue	112-
4015 Northrop	121-
4918 Nevada	128-
4926 Nevada	128-
5018 Nevada	133-
4041 Northrop (2)	139-
2002 Nuttman	145-
4935 Nevada	147-
1109 Nuttman	163-
3802 Northcreek Drive	166-
1109 Nuttman	166-
3226 New Haven	175-
7704 Newlin Drive	188-
2021 Nelson	193-
3410 Northrop	207-
3508 Naquaga Drive	213-
4632 Newaga Road	213-
926 Nuttman	231-
1150 Nuttman	244-
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2604 Nordholm	260-
5008 Nevada (bore-parkstp)	270-
2900 block New Haven (street)	281-

6334 Old Brook Drive (bore-parkstp)	9-6
6300 Old Trail Road	13-5
1131 Oak	33-4
705 Orlando Drive (parkstp)	35-4
Old Trail Road S/Lower Huntington Road	35-4
2237 Oliver	40-4
4805 Ottawa Drive (parkstp)	40-4
4729 Ottawa Drive	40-4
1157 Ohio	65-4
2235-2237 Oliver	65-4
4814 Ottawa Drive (bore-parkstp)	76-5
4716 Ottawa Drive (bore-parkstp)	76-5
4717 Ottawa Drive (parkstp)	76-5
4721 Ottawa Drive (parkstp)	76-5
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6339 Old Brook Drive (bore-parkstp)	244-5
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2510 Princeton (parkstp)	6-5
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2813 Prairie Grove	13-5
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1406 Pine Valley	33-4
2712 Prairie Grove	33-4
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2512 Pleasant	40-4
2916 Palisades Drive (parkstp)	40-4
Parnell Avenue N/River	40-4
2424 Pleasant	40-4
6503 Pawawna Drive (parkstp)	40-4
611 Pettit	40-4
Pennsylvania and Edsall	40-4
302 East Pontiac	40-4
2916 Palisades	40-4
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1406 Pine Valley Drive	47-4
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2606 Palisades	69-3
1007 Pope	69-3
426 Perry	76-5
Pontiac and Calhoun	76-5
1530 Progress	76-5
914 Putnam	81-4
2908 Pinewood Drive (parkstp)	88-3
Pittsburgh and Edsall	88-3
3004 Pittsburgh Avenue	88-3
415 Eat Pontiac	88-3
3115 Pittsburgh	96-3
2105 Packard	102-4
608 East Pontiac	109-5
1530 Progress	109-5
2908 Pinewood	112-5
4732 Palatine Drive	118-4
1717 East Pontiac (alley)	118-4
3115 Pittsburg	121-4
2712 Prairie Grove	121-4
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Pleasant and State	128-5
2806 Prairie Grove	128-5
225 Pearl Street	133-4
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2916 Pinewood Drive (2)	139-4
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1901 Production Road	145-5
Pettit W/Calumet Avenue	147-5
2728 Plaza	158-5
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1224 and 1220 East Pontiac	175-4
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314 East Pontiac	231-4
512 East Pontiac	231-4
Pettit W/Hanna	231-4
Pontiac W/ Holly	231-4
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2424 Pleasant (rear)	261-4
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4200 Queen Street (4)	76-5
Queen Street on Maverick Place	139-4
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Ridgeway W/Hessen Cassel Road	1-5
726 Ridgewood	1-5
4217 Rutland Lane (parkstp)	6-5
4218 Rutland Lane)bore-parkstp)	6-5
726 Ridgewood	6-5
1325 Rockhill	6-5
1715 Rosemont (alley)	7-5
2206 Roy	7-5
Radcliffe, Queen, McKee, and Arnold	7-5
Ridgewood, Newport, and Parkhill	13-5
3203 Reynolds	24-4
4116 Richfield Lane (bore-parkstp)	24-4
4220 Richfield Lane (bore-parkstp)	24-4
1515 Reckewey Road (parkstp)	33-4
6307 Reserve Line Road	33-4
1514 Riverway	33-4
2814 Reynolds	40-4
800 Rewill	40-4
3417 Rodgers	40-4
900 Runnian	41-4
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3126 Reynolds	47-4
Randalia, Vermont, Lake	62-3
1514 Riverway (parkstp)	65-4
316 Rexford	69-3
2117 Reed Road	81-4
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3612 Rogers (bore-parkstp)	89-3
211 East Rudisill	89-3
4109 Rutland	89-3
2117 Reed Road	96-3
3612 Rodgers	96-3
Rolston and Springfield	96-3
4117 Rutland	96-3
4125 Rutland	102-4
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2111 Roy	128-5
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3431 Raymond	163-5
3333 Regis Drive	163-5
Ridgeway, Dexter, Dellview	163-5
1133 Rivermet	163-5
1810 Rosemont	166-5
2214 Rehm Drive	166-5
3222 Reynolds	166-5
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WATER CONTRACT
and AGREEMENT

WATER IMPROVEMENT
PROJECT

1.

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1216 Monroe (alley)	40-4
Mayberry Street, Hobson Road, Locust Lane, Roseview Road, Plymouth Street	40-4
3322 Mono Gene Drive	62-3
716 Madison (alley)	69-3
4855 Mamie Drive (parkstp)	69-3
4979 Mamie Drive (parkstp)	69-3
922 Morrow Way	76-5
1108 Maumee (alley)	81-4
3116 Maumee Avenue	81-4
3606 Maumee Avenue	81-4
915 Milton	81-4
3816 Maplegrove	88-3
3930 Mobile	88-3
1810 Magnavox	96-3
1400 Martin	96-3
901-917 Mildred (3)	96-3
5304 Monarch	96-3
5311 Monarch	96-3
5320 Monarch	96-3
5405 Monarch	96-3
5411 Monarch	96-3
3322 Mono Gene Drive	96-3
2119 West Main Street	102-4
2100 West Main Street	102-4
2409 & 2417 West Main Street	102-4
906 Milton	102-4
831 Milton	112-5
7211 Mowhawa Drive	112-5
1924 Maplewood	121-4
McKee / SW corner Radcliffe Street	128-5
Manford and Radcliffe	129-4
2418 and 2424 Manford	129-4
1216 West Main (alley)	133-4
Mulberry and Ardmore	139-4
232 East Masterson	144-5
7206 Miahqueah Drive	144-5
7213 Miahqueah Drive	144-5
7217 Miahqueah Drive	144-5
Masterson E/Lafayette (alley)	147-5
3437 Marias Drive	158-5
7226 Miahqueah Drive	158-5
7230 Miahqueah Drive	158-5
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WATER IMPROVEMENT PROJECT

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PURCH

SEWER
REIMBURSEMENTS

PROVEMENT

H. I.

63-158-16
H I
1/11/76

'76- 13427

AMENDED NUNC PRO TUNC

SEWER EASEMENT RESOLUTION NO. 127-1973

PERMANENT

For the condemnation of a permanent right-of-way for sewer easement purposes across, through and under a portion of space being part of the West half Section 4, Township 31 North, Range 13 East; bounded on the North by a line 95 feet north of and parallel to the center line of Leo Road, bounded on the East by the East property line of Lot # 6 of J. Cook's Subdivision, bounded on the South by the St. Joe River, bounded on the West by the East line of Bourie's Reserve.

Resolved by the Board of Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for permanent sewer easement purposes across, through and under a portion of space being part of the West half Section 4, Township 31 North, Range 13 East; bounded on the North by a line 45 feet north of and parallel to the center line of Leo Road, bounded on the East by the East property line of Lot #6 of J. Cook's Subdivision, bounded on the South by the St. Joe River, bounded on the West by the East line of Bourie's Reserve, more particularly described as follows:

PERMANENT EASEMENT

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at an iron pin in the centerline intersections of Old Leo Road and Dupont Road; thence North 88° 52' 10" East a distance of 1,321.834 feet;
thence South 02° 42' 29" East a distance of 402.388 feet;
thence South 35° 57' 48" East a distance of 199.977 feet;
thence South 00° 56' 27" East a distance of 699.855 feet;
thence South 00° 57' 27" East a distance of 1008.391 feet;
thence South 02° 34' 34" West a distance of 275.841 feet;
thence South 00° 16' 27" East a distance of 966.799 feet;
thence South 24° 37' 52" West a distance of 199.954 feet;
thence South 64° 36' 23" West a distance of 47.591 feet;
thence South 87° 46' 35" West a distance of 829.611 feet;
thence South 73° 52' 28" West a distance of 590.770 feet;
thence South 48° 44' 11" West a distance of 421.860 feet;
thence South 58° 56' 19" West a distance of 518.650 feet;
thence South 52° 17' 14" West a distance of 621.422 feet;
thence South 38° 37' 04" West a distance of 647.335 feet;
thence South 37° 18' 03" West a distance of 547.546 feet, to the point of beginning of this description,
thence North 31° 26' 15" West a distance of 402.540 feet;
thence North 32° 37' 02" West a distance of 424.208 feet;
thence North 01° 02' 45" West a distance of 439.090 feet;
thence North 04° 12' 02" East a distance of 499.911 feet;
thence North 00° 14' 46" West a distance of 499.603 feet;
thence North 01° 13' 45" West a distance of 491.901 feet;
thence North 00° 11' 46" West a distance of 502.554 feet;
thence North 00° 11' 46" West a distance of 404.483 feet;
thence North 00° 52' 46" West a distance of 387.729 feet;
thence North 24° 25' 30" West a distance of 204.180 feet, being the terminating point, located in the centerline of Leo Road (formerly State Road #427), located 3,033.089 feet South 57° 11' 27" West of the aforesaid iron pin in the centerline intersections of Old Leo Road and Dupont Road.

1976 JUN 11 AM 10:46
ALLEN COUNTY RECORDER

The proceeding centerline crosses thru property now or formerly owned by the following:

1. James D. and Margaret H. Irving - 32.10 ± acres and 120.74 ± acres and 2.5 ± acres.
2. Indiana and Michigan Electric Company - 12.04 ± acres and 0.99 ± acres
3. Morris J. Ream and Edna F. Amstutz - 53.88 ± acres.
4. Dorothy Raver - 71.69 ± acres.

DULY ENTERED FOR TAXATION
JUN 11 1976
Jean D. Uebelhoer
AUDITOR OF ALLEN COUNTY

Instrument J 3547

City Dept

SEWER EASEMENT RESOLUTION NO. 127-1973

(TEMPORARY & PERMANENT)

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the West half Section 4, Township 31 North, Range 13 East; bounded on the North by line 20 feet parallel to the North right of way of Leo Road (Old State Road #427), bounded on the East by the East property line of Lot #7 of J. Cook's Subdivision, bounded on the South by the St. Joe River, bounded on the West by the East line of Bourie's Reserve, more particularly described as follows:

PERMANENT EASEMENT

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

> Commencing at a proposed manhole #22 on the main line of the St. Joe Interceptor. Said manhole located approximately 120± feet West of Swift Drain and 75± feet North of the high bank of the St. Joe River; thence from manhole #22 across a property described as being part of Lot #6 of J. Cook's subdivision South of the I&M easement and now or formerly owned by Margaret H. Irving and also across land described as being the East part of Bourie's Reserve owned by James D. & Margaret Irving on a bearing of North 27 degrees 45 minutes West, a distance of 810 feet; thence North 03 degrees 10 minutes East, a distance of 430± feet to the North property line of said property and the South right of way of the I&M easement; thence continuing across the I&M easement right of way and then in and along the West side of Lot #6 now or formerly owned by Morris J. Ream and Edna F. Amstutz, North 03 degrees 10 minutes East a distance of 2795± feet; thence North 22 degrees 00 minutes West, a distance of 45 feet to the West property line of said property; thence continuing across the Northeast corner of 71.69 ± acres now or formerly owned by Dorothy Raver on a continued bearing of North 22 degrees 00 feet West, a distance of 140 feet to the North property line of said property, the South right of way line of Leo Road (Old State Road #427) and 252 feet Southwest of the centerline of Martin Ditch.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

An easement 50 feet in uniform width lying adjacent to and immediately Easterly of the above described permanent easement.

Also an easement commencing at a point of beginning on the West property line of Lot #6 of J. Cook's subdivision and the North right of way line of the I&M easement; thence North in and along the West property line of said Lot #6, a distance of 700 feet; thence West a distance of 125 feet; thence South on a line 125 feet West of and parallel to the West line of said Lot #6, a distance of 810± feet to the North right of way line of the I&M easement; thence Northeast in and along the I&M easement right of way line, a distance of 265± feet to the point of beginning.

All easements as set forth in the attached drawings.

[illegible] [illegible] 127-73
[illegible] PO for
[illegible]
4/3/74

59-356-14

63-158-16 H.I. 7/7/76

76- 13426

AMENDED NUNC PRO TUNC

SEWER EASEMENT RESOLUTION NO. 126-1973

PERMANENT

For the condemnation of a permanent right-of-way for sewer easement purposes across, through and under a portion of space being part of the West ½ of Section 35, Township 32 North, Range 12 East; the South ½ of Section 27, Township 32 North, Range 12 East; the Northeast ¼ of Section 34, Township 32 North, Range 12 East; bounded on the North by a line 950 feet North of and parallel to the South line of Section 27, Township 32 North, Range 12 East; bounded on the East by Interstate-69; bounded on the South by Dupont Road; bounded on the West by a line parallel to and 200 feet West of the ½ section line of Section 27, Township 32 North, Range 12 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for permanent sewer easement purposes across, through and under a portion of space being part of the West ½ of Section 35, Township 32 North, Range 12 East; the South ½ of Section 27, Township 32 North, Range 12 East; the Northeast ¼ of Section 34, Township 32 North, Range 12 East, bounded on the North by a line 950 feet North of and parallel to the south line of Section 27, Township 32 North, Range 12 East; bounded on the East by Interstate-69; bounded on the South by Dupont Road; bounded on the West by a line parallel to and 200 feet West of the ½ section line of Section 27, Township 32 North, Range 12 East, more particularly described as follows:

PERMANENT EASEMENT NO. 1

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at the Southwest corner of the Southwest quarter of Section 35, Township 32 North, Range 12 East, thence North 89° 52' 11" East a distance of 1,901.281 feet to a point in the centerline of Dupont Road to the point of beginning of this description,
thence North 41° 58' 58" West a distance of 1,254.767 feet,
thence North 00° 56' 46" West a distance of 394.835 feet,
thence North 02° 01' 00" East a distance of 349.044 feet,
thence North 04° 15' 16" East a distance of 294.304 feet,
thence North 02° 12' 45" East a distance of 357.543 feet,
thence South 89° 34' 32" East a distance of 485.596 feet,
thence South 88° 58' 02" East a distance of 485.197 feet,
thence North 04° 16' 16" East a distance of 244.612 feet,
thence North 24° 32' 47" West a distance of 470.311 feet,
thence North 24° 41' 47" West a distance of 396.625 feet,
thence North 10° 53' 23" West a distance of 409.927 feet,
thence North 18° 15' 28" West a distance of 596.889 feet,
thence North 20° 38' 14" West a distance of 446.596 feet,
thence North 43° 21' 45" West a distance of 537.900 feet,
thence South 87° 57' 34" West a distance of 433.060 feet,
thence North 88° 33' 09" West a distance of 476.952 feet,
thence North 88° 46' 54" West a distance of 29.997 feet, being terminating point of permanent easement No. 1, located in the centerline of the Old Auburn Road located 29.5 feet south of the Northwest corner of the Northwest quarter of Section 35, Township 32 North, Range 12 East, said point also being located 5,126.830 feet North 00° 00' 11" East of the Southwest corner of the Southwest quarter of Section 35, Township 32 North, Range 12 East.

1976 JUN 11 AM 10:46
ALLEN COUNTY RECORDER

The preceeding described permanent easement centerline crosses thru property now or formerly owned by the following:

1. John D. and Clint W. Murchison, Jr. - 54.63 ± acres
2. Marcellus J. and Dorothy J. Junk - 40 ± acres
3. Lots 9, 10, 39, 58, and 78 thru 89 inclusive of Northway Gardens Addition
4. Joseph L. and Marie Wesley - 160 ± acres.

Instrument J 3546

DULY ENTERED FOR TAXATION
JUN 11 1976
Jean D. Uebelhoer
AUDITOR OF ALLEN COUNTY

City Ref

35 0 ce.

EASEMENT NO. 2

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at a point located in the centerline of the Old Auburn Road located 29.5 feet South of the Northeast corner of the Northeast quarter of Section 34, Township 32 North, Range 12 East, said point also being located 5,126.830 feet North 00° 00' 11" East of the Southeast corner at the Southeast quarter of Section 34, Township 32 North, Range 12 East to the point of beginning of this description,
thence North 88° 46' 55" West a distance of 349.520 feet,
thence North 88° 46' 55" West a distance of 425.975 feet,
thence South 88° 41' 04" West a distance of 394.823 feet,
thence South 88° 23' 04" West a distance of 377.322 feet,
thence South 88° 39' 04" West a distance of 485.978 feet,
thence North 32° 03' 36" West a distance of 455.066 feet,
thence North 32° 27' 36" West a distance of 394.214 feet,
thence North 58° 55' 01" West a distance of 259.114 feet, being the terminating point of permanent No. 2. The location of the terminating point is more particularly described as follows:

Commencing at the centerline intersections of the Old Auburn Road and Union Chapel Road,
thence North 89° 40' 57" West a distance of 3,223.308 feet, along the centerline of Union Chapel Road,
thence South 00° 01' 51" West a distance of 1,181.907 feet,
thence South 00° 33' 21" West a distance of 667.904 feet,
thence South 89° 27' 25" East a distance of 520.930 feet.

The preceeding described permanent easement centerline crosses thru property now or formerly owned by the following:

1. Thomas W. and Eileen B. Osborne - 48.86 ± acres and 30.0 ± acres.
2. August, Jr. and Alma Kruse - 156.58 ± acres
3. Lots 171 and 172 of Pine Valley Country Club Addition, Section 1, as recorded by Plat Book 29, Pages 57-60.
4. Utility Development Corporation - 6.03 ± acres.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts mandatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the West ½ of Section 35, Township 32 North, Range 12 East; the South ½ of Section 27, Township 32 North, Range 12 East; and the Northeast ¼ of Section 34, Township 32 North, Range 12 East.

The temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 7th day of June 1976.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G. Scott

Max G. Scott, Member

ATTEST:
Ursula Miller

Ursula Miller

Reference: St. Joe River Interceptor Sewer, Resolution No. 276
(Dupont Road to Pine Valley).

Prepared by Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

H. I.
57-5-3-12
71

SEWER EASEMENT RESOLUTION NO. 126-1973

(TEMPORARY & PERMANENT)

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the West ½ of Section 35, Township 32 North, Range 12 East; the South ½ of Section 27, Township 32 North, Range 12 East; the Northeast ¼ of Section 34, Township 32 North, Range 12 East, bounded on the North by a line 850 feet North of and parallel to the South line of Section 27, Township 32 North, Range 12 East; bounded on the East by Interstate-69, bounded on the South by Dupont Road, bounded on the West by a line parallel to and 200 feet West of the ½ section line of Section 27, Township 32 North, Range 12 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the West ½ of Section 35, Township 32 North, Range 12 East; the South ½ of Section 27, Township 32 North, Range 12 East; the Northeast ¼ of Section 34, Township 32 North, Range 12 East; bounded on the North by a line 850 feet North of and parallel to the South line of Section 27, Township 32 North, Range 12 East, bounded on the East by Interstate-69, bounded on the South by Dupont Road, bounded on the West by a line parallel to and 200 feet West of the ½ section line of Section 27, Township 32 North, Range 12 East, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a centerline on various properties and described as follows:

> Commencing at a point located on the centerline of Dupont Road and 852 feet West of the centerline of Interstate-69; thence, North 42° 43' West a distance of 60 ± feet to the North right of way of Dupont Road; thence, continuing across a 54.63 acre property now or formerly owned by Harold Oddou on a bearing of North 42° 45' West a distance of 1,191 feet to a proposed Manhole #27; thence, North 5° 22' West a distance of 230 ± feet to the North property line of said property; thence, continuing across a 40 acre property now or formerly owned by Joseph H. & Mary A. Guertin, on a bearing of North 5° 22' West a distance of 145 feet to a proposed Manhole #28; thence, North 00° 45' East a distance of 515 feet to the North property line of said property; thence, continuing across a Lot #9 of Northway Gardens Addition on a bearing of North 00° 45' East to the North property line of said Lot #9; thence, continuing on the bearing of North 00° 45' East across Southway Drive, Lot #39, Lot #58 and Northway Drive of Northway Gardens Addition a distance of 380 feet to a point located 10 feet North of the Southeast corner of Lot #89 of Northway Gardens Addition; thence, Easterly on a line 10 feet North of and parallel to the South property line of Lots #89 thru #78 inclusive of Northway Gardens Addition to a point located on the common North-South property line of Lots #78 and #79 and 10 feet North of the North right of way line of Northway Drive; thence, North in and along the North-South common property line of said Lots #78 and #79 to the North line of Northway Gardens; thence, continuing across a 160± acre property now or formerly owned by Joseph L. and Marie Wesley on a bearing of North 00° 30' West a distance of 588 feet to a proposed Manhole #35; thence, North 52° 15' West a distance of 500 feet; thence, North 17° 35' West a distance of 318 feet; thence, North 20° 12' West a distance of 590 feet; thence, North 25° 10' West a distance of 450 feet; thence, North 34° 38' West a distance of 540 feet to a proposed Manhole #40; thence, North 89° 50' West a distance of 930 ± feet to the East property line of Auburn Road and 24 feet South of the Northwest corner of Section 35, Township 32 North, Range 12 East.

2. Also, an easement 10 feet on each side of a described centerline located on various properties and described as follows:

> Commencing at a point on the West right of way line of Auburn Road and 24 feet South of the Northeast corner of Section 34, Township 32 North, Range 12 East; thence, across a 48.86 acre property now

126-1973

or formerly owned by Ralph H. and Eileen B. Thomas on a bearing of North 89° 05' West, a distance of 685 feet; thence, South 88° 44' West, a distance of 837 feet; thence, North 01° 12' West, a distance of 542 feet; thence, North 35° 05' West, a distance of 38 feet to the North property line of above said property; thence, continuing across a 156.58± acre property now or formerly owned by August, Jr. and Alma Kruse on a bearing of North 35° 05' West, a distance of 712 feet; thence, North 59° 03' West, a distance of 65 feet to the West line of Lot #171 of Pine Valley Country Club 1st Addition; thence, continuing across the Northeast corner of said Lot #171 on a bearing of North 59° 03' West, a distance of 75 feet to the North property line of said lot; thence, continuing across a 6.03 acre property now or formerly owned by Utility Development on a bearing of 59° 03' West, a distance of 120 feet terminating at an existing sewage treatment plant.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width lying adjacent to and immediately Westerly and Northerly of the described easement from DuPont Road to the North line of Northway Gardens Addition.

2. Also, an easement 50 feet in uniform width lying adjacent to and immediately Westerly and Southerly of the described easement from the North line of Northway Gardens Addition to the sewage treatment plant at the Pine Valley Country Club Addition.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the West ½ of Section 35, Township 32 North, Range 12 East; the South ½ of Section 27, Township 32 North, Range 12 East; and the Northeast ¼ of Section 34, Township 32 North, Range 12 East.

The temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 30 day of July, 1973.

Board of Public Works

Attest:
Edna L. Smith
Clerk

Reference: St. Joe River Interceptor Sewer, Resolution No. 276 (DuPont Road to Pine Valley).

126-1973

63-158-16 H.I. 6/1/76

AMENDED NUNC PRO TUNC

SEWER EASEMENT RESOLUTION NO. 125-1973

(PERMANENT)

'76- 13425

For the condemnation of a permanent right of way for sewer easement purposes across, through and under a portion of space being part of Section 8, Township 31 North, Range 13 East; the Northeast ¼ of Section 7, Township 31 North, Range 13 East; the East ½ of Section 6, Township 31 North, Range 13 East; the West ½ of Section 5, Township 31 North, Range 13 East; bounded on the North by Dupont Road, bounded on the East by Bouries West Reserve Line, bounded on the South by Swift Run, bounded on the West by a line parallel to and 400 feet Westerly of Interstate-69.

Resolved by the Board of Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent sewer easement purposes across, through and under a portion of space being part of Section 8, Township 31 North, Range 13 East; the Northeast ¼ of Section 7, Township 31 North, Range 13 East; the East ½ of Section 6, Township 31 North, Range 13 East; the West ½ of Section 5, Township 31 North, Range 13 East; bounded on the North by Dupont Road, bounded on the East by Bouries West Reserve Line, bounded on the South by Swift Run, bounded on the West by a line parallel to and 800 feet Westerly of Interstate-69, more particularly described as follows:

PERMANENT EASEMENT NO. 1

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at the Northeast corner of Lot No. 182 of Concordia Gardens Addition, Section F, as recorded by Plat Book 25, Pages 17-18; thence North 16° 48' 18" East a distance of 378.38 feet;
thence North 52° 08' 34" East a distance of 797.268 feet;
thence North 29° 37' 10" East a distance of 639.598 feet;
thence North 29° 18' 11" West a distance of 594.419 feet;
thence North 46° 53' 43" West a distance of 329.434 feet;
thence North 25° 31' 48" West a distance of 382.690 feet;
thence North 11° 23' 35" West a distance of 351.421 feet;
thence North 0° 40' 44" West a distance of 502.026 feet;
thence North 33° 39' 54" East a distance of 890.124 feet; to the point of beginning of this description:
thence North 63° 31' 41" West a distance of 337.815 feet;
thence North 20° 29' 0" West a distance of 372.740 feet;
thence North 47° 30' 46" West a distance of 308.383 feet;
thence North 62° 36' 41" West a distance of 334.316 feet;
thence North 56° 32' 43" West a distance of 347.625 feet;
thence North 29° 31' 55" West a distance of 484.910 feet, crossing Leo Road (Formerly State Road #427);
thence North 29° 46' 55" West a distance of 399.084 feet, being the terminating point of permanent easement No. 1, located in the centerline of Wallen Road located 3840.474 feet North 89° 37' 52" East of the Northwest corner of the Northwest quarter of Section 7, Township 31 North, Range 13 East, said terminus point also being located 608.50 feet South 89° 26' 21" West of an iron pin located in the centerline intersection of Leo Road (formerly State Road 427) and Wallen Road.

1976 JUN 11 AM 10:46
ALLEN COUNTY RECORDER

The preceding described permanent easement centerline crosses properties now or formerly owned by the following:

1. The City of Fort Wayne
2. The Lincoln National Bank and Trust Company (131.72± acres)
3. David H. Gebhart (0.28± acres)
4. Walter H. and Phyllis J. Dietel (0.43± acres)
5. Hilda and Joseph Mason Life Estate (7.64± acres)

DULY ENTERED FOR TAXATION
JUN 11 1976
Jean D. Uebelhoer
AUDITOR OF ALLEN COUNTY

City Dep

Instrument J 3545

35^{0}

PERMANENT EASEMENT NO. 2

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at the Southwest corner of the Southwest quarter of Section 6, Township 31 North, Range 13 East, thence North 89° 37' 52" East along the centerline of Wallen Road a distance of 3840.474 feet to a point in the centerline of Wallen Road, said point being also located 608.50 feet South 89° 26' 21" West of iron pin in the centerline intersection of Leo Road (formerly State Road #427) and Wallen Road to the point of beginning of this description:

thence North 29° 46' 55" West a distance of 399.084 feet;
thence North 1° 48' 15" West a distance of 376.333 feet;
thence North 65° 2' 41" West a distance of 254.360 feet, crossing I-69;
thence North 22° 38' 24" East a distance of 485.111 feet;
thence North 18° 39' 28" East a distance of 477.680 feet;
thence North 14° 58' 31" East a distance of 462.987 feet;
thence North 11° 57' 33" East a distance of 257.759 feet;
thence North 2° 4' 14" West a distance of 424.824 feet;
thence North 1° 35' 15" West a distance of 402.539 feet;
thence North 0° 43' 16" West a distance of 469.785 feet;
thence North 0° 41' 16" West a distance of 445.949 feet;
thence North 0° 41' 16" West a distance of 341.126 feet;
thence North 1° 2' 15" West a distance of 370.762 feet;
thence North 42° 20' 48" West a distance of 454.317 feet;
thence North 42° 4' 48" West a distance of 391.229 feet, being the terminating point of permanent easement No. 2, located at a point in the centerline of Dupont Road located 544.132 feet South 89° 52' 08" West of an iron pin in the centerline of Dupont Road assumed to be the Northeast corner of the Northeast quarter of Section 6, Township 31 North, Range 13 East.

The preceding described permanent easement centerline crosses properties now or formerly owned by the following:

1. Cecelia C. Roy (80± acres)
2. Tony and Lucille Conge (9.19 + acres)
3. James L. and Ruth G. Oddou (54.44± acres)

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in part of Section 8, Township 31 North, Range 13 East; the Northeast ¼ of Section 7, Township 31 North, Range 13 East; the East ½ of Section 6, Township 31 North, Range 13 East; and the West ½ of Section 5, Township 31 North, Range 13 East of Allen County.

Adopted this 7th day of June, 19__.

Henry R. Weyrenberg
Henry R. Weyrenberg, Chairman

Max G. Scott
Max G. Scott, Member

[redacted]

Attest:
Ursula Miller
Clerk: Ursula Miller

Reference: St. Joe River Interceptor Sewer, Resolution No. 275 (Robison Park to Dupont Road).

Prepared by Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

SEWER EASEMENT RESOLUTION NO. 125-1973

7/20/73

(TEMPORARY & PERMANENT)

For the condemnation of a permanent and temporary right of way for sewer easement purposes, across, through and under a portion of space being part of Section 8, Township 31 North, Range 13 East; the Northeast ¼ of Section 7, Township 31 North, Range 13 East; the East ½ of Section 6, Township 31 North, Range 13 East; the West ½ of Section 5, Township 31 North, Range 13 East; bounded on the North by Dupont Road, bounded on the East by Bouries West Reserve Line, bounded on the South by Swift Run, bounded on the West by a line parallel to and 400 feet Westerly of Interstate-69.

Resolved by the Board of Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of Section 8, Township 31 North, Range 13 East; the Northeast ¼ of Section 7, Township 31 North, Range 13 East; the East ½ of Section 6, Township 31 North, Range 13 East; the West ½ of Section 5, Township 31 North, Range 13 East; bounded on the North by Dupont Road, bounded on the East by Bouries West Reserve Line, bounded on the South by Swift Run, bounded on the West by a line parallel to and 400 feet Westerly of Interstate-69, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

> Commencing at a proposed Manhole #11 on the main line of the St. Joe Interceptor Sewer, said manhole point located 275 feet Northwest of the West bank of the St. Joe River and 152 feet Northeast of Swift Run; thence, across property now or formerly owned by the City of Fort Wayne on a bearing of North 63° 00' West a distance of 345 feet; thence, North 19° 30' West a distance of 368 ± feet to the North property line of above said property; thence, continuing across a tract of land being the FRL Richardsville Reserve West of the river except 0.50 acre mid point of the West ½, Northwest ¼ of Section 8, Township 31 North, Range 13 East, now or formerly owned by the Lincoln National Bank and Trust Company on a bearing of North 47° 00' West a distance of 310 feet; thence, North 63° 15' West a distance of 340 feet; thence, North 56° 00' West a distance of 345 feet; thence, North 27° 00' West a distance of 400 feet to the East right of way line of Leo Road and 21 feet West of the North-South section line of Sections 7 and 8, Township 31 North, Range 13 East.

2. Also, an easement 20 feet in uniform width, 10 feet on each side of a described centerline running along the Swift Drain from Leo Road to Wallen Road and crossing the respective properties now or formerly owned by Charles T. and Gertrude M. Billman, Walter H. and Phyllis J. Dietel, and Joseph and Hilda Mason with a centerline described as follows:

> Commencing at a point located on the West right of way line of Leo Road and 544 feet Southwest of the centerline of Wallen Road and the West right of way of Leo Road; thence, North 26° 00' West a distance of 328 feet to a point on the North right of way line of Wallen Road and 213 feet West of the East section line of Section 7, Township 31 North, Range 13 East.

3. Also, an easement 20 feet in uniform width, 10 feet of each side of a described centerline running along the West side of Swift Run from Wallen Road to Interstate-69 and crossing a 80 ± acre property now or formerly owned by Cecelia C. Roy with a centerline described as follows:

> Commencing at a point located on the North right of way line of Wallen Road and 289 feet West of the East section line of Section 6, Township 31 North, Range 12 East; thence, North 04° 00' East a distance of 375 feet; thence, North 63° 15' West a distance of 36 feet to a point located on the East right of way line of Interstate-69 and 535 feet Northeast of the centerline of Wallen Road and the East right of way line of Interstate-69.

4. Also, an easement 20 feet in uniform width, 10 feet on each side of a described centerline lying West of Interstate-69 and located on various properties and the easement centerline described as follows:

Commencing at a point located 10 feet Northwest of the West right of way line of Interstate-69 and 633 ± feet Northeast of the centerline of Wallen Road and the West right of way of Interstate-69; thence, continuing across a 80 ± acre property now or formerly owned by Cecelia C. Roy on a bearing of North 22° 00' East a distance of 480 feet; thence, North 18° 00' East a distance of 480 feet; thence, North 15° 30' West a distance of 463 feet; thence, North 13° 30' East a distance of 260 feet; thence, North 03° 30' West a distance of 475 feet to the North property line of the said property.

5. Also, an easement 20 feet in uniform width across a 9.19 ± acre property described as the Northwest ¼ of Section 5, Township 31 North, Range 13 East, South and West of Interstate-69 and now or formerly owned by Tony and Lucille D. Conge. The proposed easement is described as follows:

The West 20 feet of the South 2,020 feet of the above said property.

6. Also, an easement 20 feet in uniform width across a 54.44 ± acre property now or formerly owned by James L. and Ruth G. Oddou and described as follows:

A 20 foot easement strip lying parallel to and adjacent to the Westerly line of an existing I & M electric transmission line easement running Northwest across said property from the section line of Section 6, Township 32 North, Range 13 East to the South right of way of Dupont Road.

7. Also, an easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a point located on the West line of Section 5, Township 32 North, Range 13 East and 1,320 feet South of the centerline of Dupont Road; thence, across a 9.19 ± acre property described as the Northwest ¼ of Section 5, Township 31 North, Range 13 East South and West of Interstate-69 and now or formerly owned by Tony and Lucillie D. Conge on a bearing of North 90° 00' East a distance of 196 feet with the easement terminating at the right of way line of Interstate-69; thence, said centerline continuing across Interstate-69 on the bearing of North 90° 00' East to a point of beginning on the East right of way line of Interstate -69; thence, across a 29.98 ± acre property now or formerly owned by John D. and Clint Murchison on a bearing of North 90° 00' East a distance of 399 feet to the Southwest corner of a 11.90 acre property now or formerly owned by Marathon Oil Company.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width lying adjacent to and immediately Easterly of the described permanent easement in paragraph 1 above.

2. An easement 50 feet in uniform width lying adjacent to and immediately West of the described permanent easement in paragraph 2 above.

3. An easement 50 feet in uniform width lying adjacent and immediately West of the described permanent easement in paragraph 3 above.

4. An easement 50 feet in uniform width lying adjacent to and immediately West of the described easement in paragraph 4 above.

5. An easement 50 feet in uniform width lying adjacent to and immediately East of the described easement in paragraph 5 above.

6. An easement 50 feet in uniform width lying adjacent to and immediately Westerly of the described easement in paragraph 6 above.

7. An easement 50 feet in uniform width lying adjacent to and immediately North of the described easement in paragraph 7 above.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in part of Section 8, Township 31 North, Range 13 East; the Northeast ¼ of Section 7, Township 31 North, Range 13 East; the East ½ of Section 6, Township 31 North, Range 13 East; and the West ½ of Section 5, Township 31 North, Range 13 East of Allen County.

The temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 30 day of July, 1973.

F. W. Bromwell
Francis B. Timmons

Board of Public Works

Attest:
Edna I. Smith
Clerk

Reference: St. Joe River Interceptor Sewer, Resolution No. 275 (Robinson Park to Dupont Road).

125-73

[illegible]

125 - 73

Sent to [illegible] 4/3/74

59-3[illegible] -12

13-72-16 H.I. 6/7/76

AMENDED NUNC PRO TUNC

SEWER EASEMENT RESOLUTION NO. 124-1976

76- 13424

(PERMANENT)

For the condemnation of a permanent right-of-way for sewer easement purposes across, through and under a portion of space being part of the West ½ of Section 32, Township 32 North, Range 12 East; the Northeast ¼ of Section 31, Township 32 North, Range 12 East; and the Southeast ½ of Section 30, Township 32 North, Range 12 East, bounded on the North by a line 1,300 feet South of and parallel to Recovery Road, bounded on the East by State Road #3, bounded on the South by Rahdert Drain; bounded on the West by a line 400 feet East of and parallel to the Penn Central Railroad.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent sewer easement purposes across, through and under a portion of space being part of the West ½ of Section 32, Township 32 North, Range 12 East; the Northeast ¼ of Section 31, Township 32 North, Range 12 East; and the Southeast ½ of Section 30, Township 32 North, Range 12 East, bounded on the North by a line 1,300 feet South of and parallel to Recovery Road, bounded on the East by State Road #3, bounded on the South by Rahdert Drain, bounded on the West by a line 400 feet East of and parallel to the Penn Central Railroad, more particularly described as follows:

PERMANENT EASEMENT

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at the Southwest corner of the Southwest quarter of Section 32, Township 32 North, Range 12 East, thence South 89° 52' 04" East a distance of 1402.278 feet along the centerline of Dupont Road to the centerline intersections of Lima Road (State Road #3) and Dupont Road, thence North 00° 19' 34" West along the centerline of Lima Road (State Road #3) a distance of 2004.14 feet to the point of beginning of this description;

thence North 80° 33' 12" West a distance of 231.130 feet;
thence North 81° 28' 12" West a distance of 277.387 feet,
thence North 26° 10' 22" West a distance of 267.667 feet,
thence North 47° 45' 22" West a distance of 493.414 feet,
thence North 66° 12' 18" West a distance of 348.531 feet,
thence North 01° 51' 42" East a distance of 441.420 feet,
thence North 02° 15' 42" East a distance of 565.852 feet,
thence South 89° 34' 47" West a distance of 661.804 feet,
thence North 00° 37' 19" West a distance of 1316.430 feet,
thence South 88° 58' 47" West a distance of 154.574 feet,
thence North 00° 56' 41" East a distance of 452.139 feet,
thence North 01° 04' 26" East a distance of 450.389 feet,
thence North 11° 03' 08" West a distance of 102.190 feet; and terminating at a point located as follows:

1976 JUN 11 AM 10: 46
ALLEN COUNTY RECORDER
June E. Linhart

Commencing at the Southeast corner of the Southeast Quarter of Section 31, Township 32 North, Range 12 East; thence North 89° 53' 49" West a distance of 1249.002 feet to the centerline intersections of Dupont Road and the right-of-way of the G. R. & I. Railroad; thence North 00° 26' 29" West a distance of 6090.883 feet along the centerline of the right-of-way of the G. R. & I. Railroad; thence North 88° 16' 32" East a distance of 584.844 feet; being the terminating point of permanent easement.

The preceeding described permanent easement centerline crosses through property now or formerly owned by the following:

1. Leland R. and Jane Coak (2.30± Acres)
2. Arthur E. and Ruth M. Coak (4.59± Acres)
3. Wilmer and Roseline E. Rahdert (37.89± Acres & 73.64± Acres)
4. Robert A. & Genevieve Young (37.50± Acres)
5. Allen County

DULY ENTERED FOR TAXATION
JUN 11 1976
Joan D. Uebelhoer
AUDITOR OF ALLEN COUNTY

Instrument J 3544

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City Bay

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All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots, and land affected by the above described condemnation are situated in the West ½ of Section 32, Township 32 North, Range 12 East; the Northeast ¼ of Section 31, Township 32 North, Range 12 East; and the Southeast ¼ of Section 30, Township 32 North, Range 12 East of Allen County.

Adopted this 7th day of June, 1976.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

ATTEST:

Ursula Miller
Clerk: Ursula Miller

Reference: St. Joe River Interceptor Sewer, Resolution No. 273, (State Road #3 to County Home Area)

Prepared by: Philip R. Boller, Chief,
Water Pollution Control Engineer

H.I.
1 347 - 11

SEWER EASEMENT RESOLUTION NO. 124-1973

(TEMPORARY & PERMANENT)

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the West ½ of Section 32, Township 32 North, Range 12 East; the Northeast ¼ of Section 31, Township 32 North, Range 12 East; and the Southeast ½ of Section 30, Township 30 North, Range 12 East, bounded on the North by a line 1,300 feet South of and parallel to Recovery Road, bounded on the East by State Road #3, bounded on the South by Rahdert Drain, bounded on the West by a line 400 feet East of and parallel to the Penn Central Railroad.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the West ¼ of Section 32, Township 32 North, Range 12 East; the Northeast ¼ of Section 31, Township 32 North, Range 12 East; and the Southeast ¼ of Section 30, Township 32 North, Range 12 East, bounded on the North by a line 1,300 feet South of and parallel to Recovery Road, bounded on the East by State Road #3, bounded on the South by Rahdert Drain, bounded on the West by a line 400 feet East of and parallel to the Penn Central Railroad, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

> Commencing at a point located on the centerline of State Road #3 and 487 feet South of the North line of the Southwest ¼ of Section 32 of Perry Township; thence, North 74° 18' West a distance of 98 feet to a point of beginning located on the West right of way line of State Road #3; thence, continuing across a 2.30 acre property now or formerly owned by Leland R. and Jane Coak on a bearing of North 78° 18' West a distance of 378 feet; thence, North 17° 48' West a distance of 95 feet to the North property line of said property; thence, continuing across a 4.59 acre property now or formerly owned by Arthur E. and Ruth M. Coak on a bearing of North 17° 48' and a distance of 170 feet; thence, North 48° 43' West a distance of 250 feet to the North property line of said property; thence, continuing across a 37.89 acre property now or formerly owned by Wilmer and Rosalind Rahdert on the bearing North 48° 43' West and a distance of 350 feet; thence, North 63° 43' West a distance of 447 feet to a point located 10 feet West of the West section line of Section 29, and 40 ± feet North of Rahdert Drain; thence, continuing North across a 73.64 acre property now or formerly owned by Wilmer and Rosalind Rahdert on a line 10 feet West of and parallel to the West line of Section 29, Township 32 North, Range 12 East a distance of 1,008 feet to a point located on the North property line of the said property.

2. Also, an easement 20 feet in uniform width across a 37.50 acre property now or formerly owned by Robert and Genevieve Young and described as follows:

Gen [illegible]

> The East 20 feet of the above said property and also the North 20 feet of the East 723 feet of the above said property.

3. Also, an easement 20 feet in uniform width, 10 feet on each side of a centerline described as follows:

> Beginning at a point located 713 feet West of the East line of Section 30, Township 32 North, Range 12 East, and the North right of way of Carrol Road; thence, North 7° 27' East in and along an existing drive a distance of 1,110 feet; thence, North 32° 33' West a distance of 240 feet terminating at an existing manhole.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly and Easterly of the described permanent easement in paragraph 1.

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an easement 50 feet in uniform width, lying adjacent to and immediately and South of the described permanent easement in paragraph 2.

3. Also, an easement 50 feet in uniform width, lying adjacent to and immediately Westerly of the described permanent easement in paragraph 3, except the South 200 feet of said easement in paragraph 3 which would be 20 feet in uniform width and adjacent to said permanent easement as described in paragraph 3.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the West ½ of Section 32, Township 32 North, Range 12 East; the Northeast ¼ of Section 31, Township 32 North, Range 12 East; and the Southeast ¼ of Section 30, Township 32 North, Range 12 East of Allen County.

The temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 30 day of July, 1973.

Board of Public Works

Attest:
Edna L. Smith
Clerk

Reference: St. Joe River Interceptor Sewer, Resolution No. 273 (State Road #3 to County Home Area).

6-1-8-76 H.T. 6/7/

AMENDED NUNC PRO TUNC

SEWER EASEMENT RESOLUTION NO. 123-1973

(PERMANENT)

'76- 13422

For the condemnation of a permanent right of way for sewer easement purposes across, through and under a portion of space being part of the Northwest ¼ of Section 1, Township 31 North, Range 12 East; the North ½ of Section 2, Township 31 North, Range 12 East; the Northeast ¼ of Section 3, Township 31 North, Range 12 East; the South ½ of Section 32, Township 32 North, Range 12 East; bounded on the North by the half section line of Section 32, Township 32 North, Range 12 East; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the West by State Road #3-

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent sewer easement purposes across, through and under a portion of space being part of the Northwest ¼ of Section 1, Township 31 North, Range 12 East; the North ½ of Section 2, Township 31 North, Range 12 East; the Northeast ¼ of Section 3, Township 31 North, Range 12 East; the South ½ of Section 32, Township 32 North, Range 12 East; bounded on the North by the half section line of Section 32, Township 32 North, Range 12 East; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the West by State Road #3, more particularly described as follows:

PERMANENT EASEMENT NO. 1

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Beginning at a point in the centerline of Coldwater Road (State Road #327), 40 feet North of Beckettes Run as determined by the existing bridge,
thence North 65° 8' 21" West a distance of 319.948 feet,
thence North 64° 58' 36" West a distance of 344.738 feet,
thence North 64° 52' 6" West a distance of 358.878 feet,
thence South 89° 34' 37" West a distance of 351.213 feet,
thence North 89° 53' 37" West a distance of 375.343 feet,
thence South 89° 47' 52" West a distance of 447.092 feet,
thence North 49° 54' 6" West a distance of 497.101 feet,
thence North 50° 6' 51" West a distance of 396.601 feet,
thence North 72° 16' 51" West a distance of 305.147 feet,
thence North 71° 48' 36" West a distance of 393.996 feet,
thence South 85° 32' 22" West a distance of 389.492 feet,
thence South 65° 29' 5" West a distance of 427.188 feet,
thence South 69° 24' 21" West a distance of 248.963 feet, being the terminating point of permanent easement No. 1, located in the centerline of the New York Central Railroad right of way, 2,034.553 feet South 00° 21' 54" East of the centerline intersections of Dupont Road and the New York Central Railroad right of way.

1976 JUN 11 AM 10:45
ALLEN COUNTY RECORDER
June E. Lenhart

The preceeding described permanent easement centerline crosses through properties now or formerly owned by the following:

1. Lot #2, Lot #3 and Lot #5 within Feichter's Subdivision as recorded in Plat Book 14, Page 76.
2. Lot #11 thru Lot #13 inclusive within Fallen Timbers Addition Section A as recorded in Plat Book 37, Page 5.
3. Little Turtle Territories (7.11 acres & 10 ± acres)
4. Larry & Sandra Waters (2.5 acres)
5. Garrett I. Waters (35. ± acres)
6. Lot #79 within Limberlost Acres Addition Section B, as recorded in Plat Book 25, Page 98, 99.
7. Ralph I and Martha M. Badiac (10.41 ± acres and 36.84 acres)

DULY ENTERED FOR TAXATION
JUN 11 1976
Joan D. Uebelhoer
AUDITOR OF ALLEN COUNTY

Instrument J 3543

4.50

City Eng

PERMANENT EASEMENT NO. 2

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Beginning at a point in the centerline of New York Central Railroad right-of-way 2,034.553 feet South, 00° 21' 54" East of the centerline intersections of Dupont Road and the New York Central Railroad right-of-way,
thence South 70° 9' 39" West a distance of 66.800 feet,
thence South 00° 27' 07" West a distance of 445.937 feet,
thence South 80° 57' 39" West a distance of 393.006 feet,
thence South 81° 22' 09" West a distance of 483.507 feet,
thence South 81° 19' 09" West a distance of 470.007 feet,
thence South 06° 13' 38" West a distance of 532.685 feet,
thence North 89° 31' 20" West a distance of 391.808 feet,
thence South 89° 40' 39" West a distance of 380.007 feet,
thence North 89° 46' 50" West a distance of 414.908 feet,
thence North 89° 59' 50" West a distance of 460.809 feet,
thence North 05° 27' 29" West a distance of 444.213 feet,
thence North 26° 48' 57" West a distance of 390.313 feet,
thence North 21° 35' 27" West a distance of 389.913 feet,
thence North 19° 36' 58" West a distance of 406.713 feet,
thence North 39° 28' 26" East a distance of 435.303 feet,
thence North 33° 06' 27" East a distance of 486.605 feet,
thence North 11° 41' 58" East a distance of 405.709 feet,
thence North 11° 19' 58" East a distance of 356.808 feet,
thence North 13° 59' 28" West a distance of 217.557 feet, being the terminating point of permanent easement No. 2, located in the centerline of Dupont Road, said point being located a distance of 2,945.536 feet North 89° 56' 28" West of the centerline intersections of the New York Central Railroad right-of-way with the Dupont Road.

The preceeding described permanent easement centerline crosses property now or formerly owned by the following:

1. Graphic Realty Corporation - 95 ± acres

2. Cletus and Opal Snyder - 83.45 ± acres

3. Lot #1, 6, 7, and 8 of Rousseau's Out Lots as recorded by Plat Book 7A, Page 50.

PERMANENT EASEMENT NO. 3

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at the terminus point of paragraph 2, said point also being located 2,142.521 feet South 89° 49' 00" East of the centerline intersections of Lima Road (State Road #3) and Dupont Road, to the point of beginning of this description:
thence North 14° 31' 53" West a distance of 317.655 feet,
thence North 43° 15' 07" West a distance of 383.148 feet,
thence North 42° 37' 07" West a distance of 389.547 feet,
thence North 41° 15' 36" West a distance of 362.550 feet,
thence North 54° 36' 43" West a distance of 289.664 feet,
thence North 53° 50' 42" West a distance of 303.062 feet,
thence North 07° 45' 19" West a distance of 402.444 feet,
thence North 81° 38' 22" West a distance of 381.821 feet,
thence North 80° 41' 22" West a distance of 344.973 feet,
thence North 80° 33' 22" West a distance of 55.395 feet, being the terminating point of permanent easement No. 3, located in the centerline of Lima Road (State Road #3), said being located 2,004.662 feet North 00° 18' 09" West of the centerline intersections of Dupont Road and Lima Road (State Road #3).

The preceeding described permanent easement centerline crosses properties now of formerly owned by:

1. Jesse H. and Mary E. Kehr (29.12 ± acres and 67.33 ± acres)

All according to the method and manner provided for in the Act of General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and thr provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the Northwest ¼ of Section 1, Township 31 North, Range 12 East, the North ½ of Section 2, Township 31 North, Range 12 East; the Northeast ¼ of Section 3, Township 31 North, Range 12 East, south ½ of Section 32, Township 32 North, Range 12 East.

Adopted this 7th day of June, 1976.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G Scott
Max G. Scott, Member

ATTEST:

Ursula Miller
Clerk: Ursula Miller

Reference: St. Joe River Interceptor Sewer, Resolution No. 272 (State Road #327 to State Road #3).

Prepared by Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

c. thence, said easement continuing across the Graphic Realty Corporation property on a bearing of South 06° 45' West a distance of 530 feet; thence, North 88° 00' West a distance of 1,185 ± feet to the section line of Section 3, Township 32 North, Range 12 East, also being the West property line of said property; thence, continuing across Lot #8 and part of Lot #7 now or formerly owned by Donald Johnson on a bearing of South 88° 00' West a distance of 480 feet to a point located approximately 95 feet North of the traveled centerline of Till Road, and 65 ± feet East of the centerline of the North-South portion of Becketts Run; thence, North 03° 00' West a distance of 444 feet; thence, North 28° 00' West a distance of 50 feet to the West property line of said property; thence, continuing across part of Lots #7 and #6 of Rousseau's Out Lots now or formerly owned by Marion S. and Genevieve Gulley on a bearing of North 28° 00' West a distance of 340 feet; thence, North 24° 30' West a distance of 245± feet to the North property line of said Lot #6 of Rousseau's Out Lots; thence, continuing across a 23.23 ± acre property now or formerly owned by Darwood and Mary K. Knafel on a bearing of North 24° 30' West a distance of 145 feet; thence, North 15° 00' West a distance of 420 feet; thence, North 44° 30' East a distance of 70 ± feet to the North property line of said property; thence, continuing across a 83.45 acre property now or formerly owned by Cletus and Opal Snyder on a bearing of North 44° 30' East a distance of 360 ± feet; thence, North 38° 00' East a distance of 500 feet; thence, North 10° 10' East a distance of 762 feet; thence, North 12° 00' West a distance of 185 ± feet to the North property line of said property, the South right of way of Dupont Road, and 90 feet East of the Rahdert N.D. #4 Ditch.

3. Also, an easement 20 feet in uniform width 10 feet on each side of a described centerline and across a 29.12 ± acre tract of land, a 67.33 ± acre tract of land, now or formerly owned by Jesse H. and Mary E. Kehr and described as follows:

Commencing at a point located on the North right of way line of Dupont Road and 247 feet West of the East line of the East ½, Southwest ¼, Section 32, Township 32 North, Range 12 East; thence, North 12° 00' West a distance of 295 feet; thence, North 42° 30' East a distance of 1,130 feet; thence, North 52° 30' West a distance of 600 feet; thence, North 09° 15' East a distance of 400 feet; thence, North 78° 45' West a distance of 705 ± feet to the West property line of said property, the East right of way of State Road #3, and 487 ± feet South of the ½ section line of Section 32, Township 32 North, Range 12 East.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly and Westerly of the described easement in paragraph 1 above.

2a. An easement 50 feet in uniform width, lying adjacent to and immediately West of the described portion of easement in paragraph 2a. above.

b. An easement 50 feet in uniform width, lying adjacent to and immediately South of the described portion of easement in paragraph 2b. above.

c. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly and Easterly of the described easement in paragraph 2c. above.

3. An easement 50 feet in uniform width, lying adjacent to and immediately Easterly and Northerly of the described easement in paragraph 3 above.

All easement as set forth in the attached drawings.

All according to the method and manner provided for in the Act of General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the Northwest ¼ of Section 1, Township 31 North, Range 12 East; the North ½ of Section 2, Township 31 North, Range 12 East; the Northeast ¼ of Section 3, Township 31 North, Range 12 East of Allen County.

The temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 30 day of July, 1973.

Board of Public Works

Attest:
Edna S. Smith
Clerk

Reference: St. Joe River Interceptor Sewer, Resolution No. 272 (State Road #327 to State Road #3).

SEWER EASEMENT RESOLUTION NO. 123-1973

(TEMPORARY AND PERMANENT)

4.7

FORT WAYNE, INDIANA, September 17, 1973 60-63-11 9/17/73

RESOLUTION NO. 123-1973

NUNC PRO TUNC ENTRY BY BOARD OF PUBLIC WORKS CORRECTING DESCRIPTION IN RESOLUTION

Comes now Phillip R. Boller, Chief Sewer Engineer, and shows to the Board that through a scrivener's error a mistake was made in the first and second paragraphs in the above Resolution, which was adopted by this Board on July 30, 1973 and confirmed on August 23, 1973. That the first paragraph should read:

"For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the Northwest 1/4 of Section 1, Township 31 North, Range 12 East; the North 1/2 of Section 2, Township 31 North, Range 12 East; the Northeast 1/4 of Section 3, Township 31 North, Range 12 East; the Southwest 1/4 of Section 32, Township 32 North, Range 12 East; bounded on the North by the half section line of Section 32, Township 32 North, Range 12 East; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the West by State Road #3 (State Road #327 to State Road #3)."

and the second paragraph should read:

"Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the Northwest 1/4 of Section 1, Township 31 North, Range 12 East; the North 1/2 of Section 2, Township 31 North, Range 12 East; the Northeast 1/4 of Section 3, Township 31 North, Range 12 East; the Southwest 1/4 of Section 32, Township 32 north, Range 12 East; bounded on the North by the half section line of Section 32, Township 32 North, Range 12 East; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the West by State Road #3 (State Road #327 to State Road #3)."

And the Board being duly advised finds that said descriptions should be corrected accordingly, and the Board now corrects and amends NUNC PRO TUNC the description as set forth in paragraphs one and two as of the date of the adoption of said Resolution on July 30, 1973, and the Confirmation on August 23, 1973, accordingly.

, an easement 20 feet on each side of a continuous described centerline located on various properties and described as follows:

a. Commencing at a point located 10 feet West of the West right of way of the New York Central Railroad and 1,260 ± feet North of the centerline of Till Road; thence, South across a 95 ± acre property now or formerly owned by Graphic Realty Corporation on a line 10 feet West of and parallel to the West line of the New York Central Railroad a distance of 445 feet;

b. thence, said easement continuing across the Graphic Realty Corporation property on a bearing of South 81° 50' West a distance of 1,351 feet;

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the Northwest ¼ of Section 1, Township 31 North, Range 12 East; the North ½ of Section 2, Township 31 North, Range 12 East; the Northeast ¼ of Section 3, Township 31 North, Range 12 East; bounded on the North by the Rahdert Drain; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the West by State Road #3.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the Northwest ¼ of Section 1, Township 31 North, Range 12 East; the North ½ of Section 2, Township 31 North, Range 12 East; the Northeast ¼ of Section 3, Township 31 North, Range 12 East; bounded on the North by the Rahdert Drain; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the West by State Road #3, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

> Commencing at a point located on the West right of way line of State Road #327 and 102 feet Southwest of the Northeast corner of Lot #2 in Feichter's Subdivision; thence, continuing across Lot #2 in Feichter's Subdivision on a bearing of North 62° 03' West a distance of 250 feet to the North property line of said lot; thence, continuing across a Lot #3 of Feichter's Subdivision on a bearing of North 62° 03' West a distance of 702 feet to a point being the common lot corner for the Northwest corner of said Lot #3, the Northeast corner of Lot #5 of Feichter's Subdivision, the Southeast corner of Lot #15 of Valley Ridge Estates and the Southwest corner of a 5± acre property now or formerly owned by Ruth Pierce; thence, continuing Westerly on a line 10 feet North of and parallel to the South property line of Lots #15 thru #11 inclusive of Valley Ridge Estates a distance of 1,017 feet; thence, continuing across a 35 ± acre property now or formerly owned by Garrett F. Waters on a bearing of North 88° 45' West a distance of 553 feet; thence, North 38° 30' West a distance of 722 feet to the North property line of said property; thence, continuing across Lot #79 of Limberlost Acres Addition, Section "B", on a bearing of North 38° 30' West a distance of 86 ± feet; thence, North 71° 30' West a distance of 130 ± feet to the West property line of said Lot #79; thence, continuing across a 10.41 acre property now or formerly owned by Ralph I. and Martha Badiac on a bearing of North 71° 30' West a distance of 715 feet; thence, South 63° 15' West a distance of 718 feet to the common property line of the West property line of the above said property and the East right of way of the New York Central Railroad and 1,310 feet North of the centerline of Till Road.

2. Also, an easement 20 feet on each side of a continuous described centerline located on various properties and described as follows:

   a. Commencing at a point located 10 feet West of the West right of way of the New York Central Railroad and 1,260 ± feet North of the centerline of Till Road; thence, South across a 95 ± acre property now or formerly owned by Graphic Realty Corporation on a line 10 feet West of and parallel to the West line of the New York Central Railroad a distance of 445 feet;

   b. thence, said easement continuing across the Graphic Realty Corporation property on a bearing of South 81° 50' West a distance of 1,351 feet;

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63-158, 16 H.I.
6/7/76

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AMENDED NUNC PRO TUNC

SEWER EASEMENT RESOLUTION NO. 122-1973

PERMANENT

For the condemnation of a permanent right-of-way for sewer easement purposes across, through and under a portion of space being part of the Section 8, Township 31 North, Range 13 East and part of Richardville Reserve; Section 7, Township 31 North, Range 13 East; the Southwest ¼ of Section 6, Township 31 North, Range 13 East; Section 1, Township 31 North, Range 12 East, bounded on the North by a line 400' North of and parallel to the East-West ½ section line of Section 1, Township 31 North, Range 12 East Extended; bounded on the East by the St. Joe River, bounded on the South by the Concordia Gardens Addition; bounded on the West by State Road #327.

Resolved by the Board of Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right-of-way for permanent sewer easement purposes across, through and under a portion of space being part of Section 8, Township 31 North, Range 13 East and part of Richardville Reserve; Section 7, Township 31 North, Range 13 East; the Southwest ¼ of Section 6, Township 31 North, Range 13 East; Section 1, Township 31 North, Range 12 East, bounded on the North by a line 400' North of and parallel to the East-West ½ section line of Section 1, Township 31 North, Range 12 East Extended; bounded on the East by the St. Joe River, bounded on the South by the Concordia Gardens Addition; bounded on the West by State Road #327, more particularly described as follows:

PERMANENT EASEMENT NO. 1

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at the Northeast corner of Lot No. 182 of Concordia Gardens Addition, Section F, as recorded by Plat Book 25, Pages 17-18; thence North 16° 48' 18" East, a distance of 378.38 feet to the point of beginning of this description;
thence North 81° 39' 37" West a distance of 298.684 feet,
thence South 88° 11' 19" West a distance of 367.460 feet,
thence North 49° 41' 42" West a distance of 230.648 feet,
thence North 76° 59' 37" West a distance of 420.209 feet,
thence North 46° 01' 43" West a distance of 449.964 feet,
thence North 45° 10' 44" West a distance of 390.257 feet,
thence North 89° 51' 59" West a distance of 533.598 feet,
thence South 88° 54' 39" West a distance of 479.650 feet,
thence North 75° 57' 16" West a distance of 450.691 feet, and crossing Leo Road,
thence North 15° 33' 39" East a distance of 200.164 feet,
thence North 47° 04' 23" West a distance of 240.463 feet, and crossing I-69,
thence North 54° 52' 59" West a distance of 384.587 feet,
thence North 4° 57' 11" East a distance of 372.696 feet,
thence North 5° 07' 11" East a distance of 356.681 feet,
thence North 14° 55' 27" West a distance of 341.492 feet,
thence North 14° 45' 47" West a distance of 319.186 feet,
thence North 89° 52' 19" West a distance of 509.170 feet,
thence North 19° 06' 43" West a distance of 568.456 feet,
thence North 7° 0' 55" West a distance of 581.319 feet,
thence North 0° 53' 02" West a distance of 484.557 feet,
thence North 0° 26' 02" West a distance of 440.334 feet,
thence North 39° 27' 47" West a distance of 309.884 feet,
thence North 1° 14' 21" West a distance of 331.400 feet, being the terminating point of permanent easement No. 1 located in the centerline of Wallen Road, 34.3 feet easterly of the Northwest corner of the Northwest quarter of Section 7, Township 31 North, Range 13 East, said point also being located 4,415.67 feet West of an iron pin in the centerline of Wallen Road and Leo Road (Old State Road 427), along a bearing of South 89° 37' 52" West.

1976 JUN 11 AM 10:45
ALLEN COUNTY RECORDER
June E. Linhart

DULY ENTERED FOR TAXATION
JUN 11 1976
Jean D. Uebelhoer
AUDITOR OF ALLEN COUNTY

Instrument J 3542

City Bof

4.50

The preceeding described permanent easement centerline crosses properties now or formerly owned by the following:

1. Lester H. and Esther H. Harmeyer - 79 ± acres
2. Marie H., Robert J., Richard K., Smock and June C. Katenmair - 29.127 ± acres
3. Leonard and Edna S. Willig - 17.22 ± acres
4. Leo M. and Betty J. Oser - 20 ± acres
5. Andrew J. and Susie Bobay - 27.15 ± acres
6. Richard G. and Suzanne M. Derck - 6.57 ± acres
7. Donald A. and Adelene B. Stiebling - 6.0 ± acres
8. The "Crozier Fathers" - 128.74 ± acres and 2.0 acres
9. G. G. and A. L. Fitzgerald - 8.52 ± acres

PERMANENT EASEMENT NO. 2

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Beginning at a point in the centerline of Wallen Road 4,415.67 feet South 89° 37' 52" West of an iron pin in the centerline of Wallen Road and Leo Road and 34.3 feet East of the Northwest corner of the Northwest quarter of Section 7, Township 31 North, Range 13 East,
thence North 1° 15' 09" West a distance of 213.405 feet,
thence South 89° 15' 51" West a distance of 249.185 feet, and crossing Auburn Road,
thence North 25° 52' 37" West a distance of 402.726 feet,
thence North 26° 07' 38" West a distance of 394.606 feet,
thence North 35° 19' 22" West a distance of 302.083 feet,
thence North 27° 32' 07" West a distance of 332.465 feet,
thence North 62° 09' 07" West a distance of 461.678 feet,
thence North 52° 27' 17" West a distance of 393.650 feet,
thence North 85° 11' 07" West a distance of 442.673 feet,
thence North 84° 51' 07" West a distance of 410.193 feet,
thence North 83° 54' 07" West a distance of 400.044 feet,
thence North 61° 58' 51" West a distance of 504.098 feet,
thence North 65° 08' 21" West a distance of 30.0 feet, being the terminating point of permanent easement No. 2, located in the centerline of Coldwater Road (State Road 327), 40 feet North of the centerline of Beckett's Run, as determined by the existing bridge.

The proceeding described permanent easement crosses thru properties now or formerly owned by the following:

1. Theodore and Sue A. Schall - 0.9 ± acres
2. John D. and Clint W., Jr. - 105.99 ± acres
3. Stephen J. and Shari D. Sammetinger - 3.59 ± acres
4. Larry A. and Lynda E. Christlieb - 1.41 ± acres
5. Arthur H. Kinney - 12.86 ± acres
6. Appolonia and Henry Bercot - 27.14 ± acres
7. Richard E. and Marian I. Hill -51.12 ± acres
8. Fred J. and Martha E. Lee - 9.64 ± acres
9. Jacob H. Feichter - 35.25 ± acres

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in Section 8, Township 31 North, Range 13 East and part of Richardville Reserve; Section 7, Township 31 North, Range 13 East, the Southwest ¼ of Section 6, Township 31 North, Range 13 East, Section 1, Township 31 North, Range 12 East of Allen County.

Adopted this 7th day of June, 1976.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G. Scott

Max G. Scott, Member

ATTEST:

Ursula Miller

Ursula Miller

Reference: St. Joe River Interceptor Sewer, Resolution No. 271
(Robison Park to State Road #327)

Prepared by Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

-VOID- 7-9-9 AJ

SEWER EASEMENT RESOLUTION NO. 122-1973

(TEMPORARY & PERMANENT)

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the Section 8, Township 31 North, Range 13 East and part of Richardville Reserve; Section 7, Township 31 North, Range 13 East; the Southeast ¼ of Section 6, Township 31 North, Range 13 East; Section 1, Township 31 North, Range 12 East, bounded on the North by a line 400' North of and parallel to the East-West ½ section line of Section 1, Township 31 North, Range 12 East Extended; bounded on the East by the St. Joe River, bounded on the South by the Concordia Gardens Addition; bounded on the West by State Road #327, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a described center-line located on various properties and described as follows:

> Commencing at a proposed manhole #2 of the main line of the St. Joe Interceptor located on a 79± acre property now or formerly owned by Lester H. & Esther H. Harmeyer. Said manhole located 10 feet West of the West right of way line of I&M Electric Co. and 380± feet Northeasterly of the Northeast corner of Concordia Gardens Addition; thence continuing across said property on a bearing of North 79° 00' West, a distance of 297 feet; thence North 87° 41' West a distance of 467 feet; thence North 53° 30' West a distance of 300 feet; thence North 74° 44' West a distance of 339 feet; thence North 41° 44' West a distance of 875 feet; thence North 88° 34' West a distance of 891 feet to the East right of way line of Leo Road (Old State Road #427) and 1392 feet Northeast of the Northeast corner of Concordia Gardens Addition.

2. Also an easement 20 feet in uniform width 10 feet on each side of a described easement and across an 8.52 acre of property now or formerly owned by George G. and Atha A. Fitzgerald described as follows:

> Commencing at a point located on the West right of way line of Leo Road (Old State Road #427) and 30 feet South of the centerline of Becketts Run, thence North 47° 25' West, a distance of 500 feet to a point on the East R/W line of I-69 and 233 feet Northeast of the centerline extended of Becketts Run Bridge at I-69.

3. Also an easement 20 feet in uniform width, 10 feet on each side of continuous described centerline located on various properties and described as follows:

> Commencing at a point located on the West right of way line of I-69 and 210± feet Northeast of the centerline extended of the Becketts Run Bridge at I-69; thence across a 40± acre property nor or formerly owned by Harley H. Smock on a bearing of North 47° 04' West, a distance of 185 feet to the North centerline of said property line; thence continuing across an 18.18± acre property now or formerly owned by Leonard and Edna S. Willig on the continued bearing of North 47° 04' West, a distance of 218 feet; thence North 11° 26' East, a distance of 730 feet to the North centerline of said property, thence across a 20± acre property now or formerly owned by Leo and Betty Oser on a bearing of North 9° 34' West, a distance of 630 feet to the N. property line of said property; thence continuing across a 27.15± acre property now or formerly owned by Andrew J. and Susie Bobay on a continuid bearing of North 9° 34' West, a distance of 25 feet; thence North 85° 32' West, a distance of 515 feet; thence North 14° 50' West, a distance of 565 feet; thence North 3° 20' West, a distance of 200 feet to the North property line of said property, thence continuing across a 6.57 acre property now or formerly owned by Richard G. and Suzanne Derck on a continued bearing of North 3° 20' West, a distance of 380 feet to the North centerline of said property; thence across a 6± acre property, now or formerly owned by Donald A. and Adelene B. Stiebling on a bearing of North 2° 39' West, a distance of 190± feet to the North property line of said property; thence continuing across a 128.74± acre of property now or formerly owned by (The) Crozier Fathers on a continued

bearing of North 2° 39' West, a distance of 740 feet; thence North 34° 50' West, a distance of 328 feet; thence North 2° 57' East, a distance of 290 feet to a point located on the South right of way of Wallen Road and 35 feet East of the centerline of Auburn Road.

4. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties as follows:

Commencing at a point located on the North right of way line of Wallen Road and 35 feet East of the centerline of Auburn Road; thence continuing across a property described as the South 196.83 feet of West 200 feet Southwest ¼ of Section 6, Township 31 North, Range 13 East, now or formerly owned by Theodore and Sue A. Scholl, on a bearing of 2° 57' East, a distance of 180± feet to the North property line of said property; thence continuing across a 106.99± acre property now or formerly owned by John D. and Clint Murchison, Jr. on a bearing of North 2° 57' East, a distance of 10 feet; thence North 89° 39' West, a distance of 17 feet to the East property line of Wallen Road and 210 feet North of the centerline extension of Wallen Road.

5. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a point located on the West right of way line of Auburn Road and 210 feet North of the centerline extended of Wallen Road; thence, continuing across a 3.59 acre property now or formerly owned by Stephen J. and Shari D. Sammetinger on a bearing of North 89° 39' West, a distance of 192 feet; thence North 26° 30' West, a distance of 400 feet to the Northwest corner of the above said property; corner of said property also being the Southwest corner of a 1.41 acre now or formerly owned by Larry P. and Lynda E. Christlieb; thence, continuing across a 22± acre property now or formerly owned by Jacob H. Feichter on a bearing of North 26° 30' West, a distance of 183 feet to the North property line of said property; thence continuing across a 12.86± acres now or formerly owned by Arthur H. Kinney on a bearing of North 26° 30' West, a distance of 215 feet; thence North 35° 00' West, a distance of 300 feet to the North property line of said property; thence continuing across a 27.14 acre property now or formerly owned by Appolonia and Henry Bercot on a bearing of North 35° 00' West, a distance of 400 feet; thence North 56° 50' a distance of 390 feet to the West property line of said property; thence continuing across a property described as the Northwest ¼ Southeast ¼ and 60 feet of South 817 feet Northwest ¼ and FRL East 335.5 Northeast ¼ Southwest ¼ now or formerly owned by Richard E. and Marion I. Hill on a bearing of North 56° 50' West, a distance of 482 feet; thence North 87° 10' West, a distance of 901± feet to the West property line of said property; thence continuing across a property described as the FRL 817 feet East of Highway centerline Northwest ¼ exc. East 60 feet and exc. FRL North 159.7 feet of West 191.05 feet now or formerly owned by Fred J. and Martha E. Lee on a bearing of North 87° 10 feet West, a distance of 253 feet; thence North 59° 15' West, a distance of 507 feet to a point on the common property line of said property and State Road #327 and 40± feet North of Becketts Run.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately Southerly of the described easement in Paragraph 1.

2. Also an easement 50 feet in uniform width lying adjacent to and immediately North of the described easement in Paragraph 2.

3,4 & 5. Also an easement 50 feet in uniform width lying adjacent to and immediately Easterly and Northerly of this described eastment in Paragraph 3,4 & 5.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots, and land affected by the above described condemnation are situated in Section 8, Township 31 North, Range 13 East and part of Richardville Reserve; Section 7, Township 31 North, Range 13 East, the Southeast ¼ of Section 6, Township 31 North, Range 13 East, Section 1, Township 31 North, Range 12 East of Allen County.

This temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 30 day of July, 1973.

Board of Public Works

Attest:

Edna D. Smith
Clerk

Reference: St. Joe River Interceptor Sewer, Resolution No. 271
(Robinson Park to State Road #327)

122-1973

59-337-8 1-1 i

63-1-8-16
HI 6/7/76

AMENDED NUNC PRO TUNC

SEWER EASEMENT RESOLUTION NO. 121-1976 76- 13421

PERMANENT

For the condemnation of a permanent right-of-way for sewer easement purposes across, through and under a portion of space being part of Section 4, Township 31 North, Range 13 East; bounded on the North by a line 200 feet Northerly of and parallel to St. Joe River, bounded on the East by a line 300 feet West of and parallel to the West line of Parks Reserve, bounded on the South by the St. Joe River, bounded on the West by Bourie's Reserve line.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right-of-way for permanent sewer easement purposes across, through and under a portion of space being part of Section 4, Township 31 North, Range 13 East, bounded on the North by a line 200 feet Northerly of and parallel to the St. Joe River, bounded on the East by a line 300 feet West of and parallel to the West line of Parks Reserve, bounded on the South by the St. Joe River, bounded on the West by Bourie's Reserve line, more particularly described as follows:

PERMANENT EASEMENT

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at an iron pin at the centerline intersections of Dupont Road and the Old Leo Road, thence South 57° 11' 27" west a distance of 3032.5 feet to a point in the centerline of Leo Road (formerly State Road 427);
thence South 24° 26' 04" East a distance of 204.113 feet;
thence South 0° 52' 47" East a distance of 387.563 feet;
thence South 0° 11' 46" East a distance of 404.308 feet;
thence South 0° 11' 46" East a distance of 502.336 feet;
thence South 1° 13' 47" East a distance of 491.689 feet;
thence South 0° 14' 46" East a distance of 499.387 feet;
thence South 4° 12' 09" West a distance of 499.688 feet;
thence South 1° 02' 47" East a distance of 438.901 feet;
thence South 32° 38' 44" East a distance of 424.089 feet;
thence South 31° 28' 04" East a distance of 402.412 feet to a point of beginning of this description;

thence North 37° 18' 03" East a distance of 547.546 feet;
thence North 38° 37' 04" East a distance of 647.335 feet;
thence North 52° 17' 14" East a distance of 621.422 feet;
thence North 58° 56' 19" East a distance of 518.650 feet;
thence North 48° 44' 11" East a distance of 421.860 feet;
thence North 73° 52' 28" East a distance of 590.770 feet;
thence North 87° 46' 35" East a distance of 829.611 feet, being terminating point of permanent easement. The location of the terminating point is more particularly described as follows:

1976 JUN 11 AM 10:45
ALLEN COUNTY RECORDER
James E. Ehrhardt

Commencing at the aforesaid iron pin at the centerline intersections of the Old Leo Road and Dupont Road,
thence North 88° 52' 10" East a distance of 1321.834 feet;
thence South 02° 42' 29" East a distance of 402.388 feet;
thence South 35° 57' 48" East a distance of 199.977 feet;
thence South 0° 56' 27" East a distance of 699.855 feet;
thence South 0° 57' 27" East a distance of 1008.391 feet;
thence South 02° 34' 34" West a distance of 275.841 feet;
thence South 0° 16' 27" East a distance of 966.799 feet;
thence South 24° 37' 52" West a distance of 199.954 feet;
thence South 64° 36' 23" West a distance of 47.591 feet.

DULY ENTERED FOR TAXATION
JUN 1 1 1976
Jean D. Uebelhoer
AUDITOR OF ALLEN COUNTY
Instrument J 3541

3.50 c.

City Dep

The preceeding described permanent easement centerline crosses thru properties now or formerly owned by the following:

1. James D. and Margaret H. Irving - 32.10 ± acres
2. George M. and Mary B. Irmscher - 39.90 ± acres
3. Lots 1 thru 6 inclusive Bicknese Addition as recorded by Plat Book 9, Page 41.
4. Indiana and Michigan Electric Company (Trease Estates)
5. Diversified Utilities, Inc. c/o John N. Pichon, Trustee - 0.66 ± acres

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation" as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in Section 4, Township 31 North, Range 13 East, of Allen County.

Adopted this 7th day of June, 1976.

BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

Attest:

Ursula Miller
Ursula Miller

Reference: St. Joe River Interceptor Sewer, Resolution No. 267 (Martin Ditch to Lake River).

Prepared by Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

SEWER EASEMENT RESOLUTION NO. 121-1973

(TEMPORARY & PERMANENT)

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of Section 4, Township 31 North, Range 13 East; bounded on the North by a line 200 feet Northerly of and parallel to St. Joe River, bounded on the East by a line 300 feet West of and parallel to the West line of Parks Reserve, bounded on the South by the St. Joe River, bounded on the West by Bourie's Reserve line.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of Section 4, Township 31 North, Range 13 East, bounded on the North by a line 200 feet Northerly of and parallel to the St. Joe River, bounded on the East by a line 300 feet West of and parallel to the West line of Parks Reserve, bounded on the South by the St. Joe River, bounded on the West by Bourie's Reserve line, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

> Commencing at a proposed manhole #22 on the main line of the St. Joe Interceptor located approximately 85± feet West of Martin Drain and 75± feet North of the high bank of the St. Joe River; thence continuing across property described as Lots #6, #5, and the West part of Lot #4 in J. Cook Subdivision, all South of the Indiana & Michigan Electric Co. easement and now or formerly owned by Margaret H. Irving on a bearing of North 38 degrees 45 minutes East, a distance of 1080± feet to the East property line of said property; thence continuing across property described as Lot #3 and the East part of Lot #4 of J. Cook Subdivision, except 6.87 acres to Indiana & Michigan Electric Co. now or formerly owned by Mary B. Irmscher on a continued bearing of North 38 degrees 45 minutes East, a distance of 114 feet; thence North 54 degrees 10 minutes East, a distance of 625± feet to the East property line of said property; thence continuing across Lot #6, #5, #4, #3 and #2 of Bicknese Addition on a bearing of North 60 degrees 45 minutes East, a distance of 520 feet; thence North 52 degrees 45 minutes East, a distance of 50± feet to the Southwest right of way of Mayhew Road and 86 feet from the center of the bridge over the St. Joe River.

2. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

> Commencing at a point of beginning on the Northeast right of way of Mayhew Road and 86 feet from the center of the bridge over the St. Joe River; thence across Lot #1 of Bicknese Addition on a bearing of North 52 degrees 45 minutes East to the West property line of Lot #1 of Trease Estate; thence continuing across the South 29.10 acres of Lot #1 and #2 of Trease Estate; the FRL South 756 feet of Lot #3 of Trease Estate; and the FRL South 823 feet of the 8.85 chains West of the East 7.08 chains North of the River now or formerly owned by Indiana Franklin Realty, Inc. on a continued bearing of North 52 degrees 45 minutes East, a distance of 300± feet; thence North 77 degrees 00 minutes East, a distance of 612 feet; thence South 89 degrees 50 minutes East, a distance of 800 feet to the East property line of said property and the West property line of .66± acres now or formerly owned by Diversified Utilities; thence continuing across .66± acres now or formerly owned by Diversified Utilities on a continued bearing of South 89 degrees 50 minutes East, a distance of 100± feet terminating at a point located on the South property line of said property and approximately 170± feet North of the St. Joe River, Said termination being located in the area of an existing sewage treatment plant.

All easements as set forth in the attached drawings.

121-1973

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph 1, except Lot #4, #3 and #2 in Bicknese Addition; said easement for Lot #4, #3 and #2 in Bicknese Addition to be 30 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph 1.

2. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph 2.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in Section 4, Township 31 North, Range 13 East of Allen County.

The temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 30 day of July, 1973.

Board of Public Works

Attest:
Edna L. Smith
Clerk

Reference: St. Joe River Interceptor Sewer, Resolution No. 267 (Martin Ditch to Lake River).

13-1-8-16

76- 13420

AMENDED NUNC PRO TUNC
SEWER EASEMENT RESOLUTION NO. 120-1973

(PERMANENT)

For the condemnation of a permanent right of way for sewer easement purposes across, through and under a portion of space being part of the Northwest quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31, North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East, bounded on the North by the line extended East from Wallen Road to the St. Joe River, bounded on the East and South by the St. Joe River, bounded on the West by the East line of Section 7, Township 31 North, Range 13 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for permanent sewer easement purposes across, through and under a portion of space being part of the Northwest quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East; bounded on the North by a line extended East from Wallen Road and the St. Joe River, bounded on the East and South by the St. Joe River, bounded on the West by the East line of Section 7, Township 31 North, Range 13 East, more particularly described as follows:

1976 JUN 11 AM 10:44
ALLEN COUNTY RECORDER

PERMANENT EASEMENT NO. 1

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Beginning at the Northeast corner of Lot No. 182 of Concordia Gardens Addition, Section F, as recorded by Plat Book 25, Pages 17-18; thence North 16° 48' 18" East a distance of 378.38 feet,
thence North 52° 08' 34" East a distance of 797.268 feet,
thence North 29° 37' 10" East a distance of 639.598 feet,
thence North 29° 18' 11" West a distance of 594.419 feet,
thence North 46° 53' 43" West a distance of 329.434 feet,
thence North 25° 31' 48" West a distance of 382.690 feet,
thence North 11° 23' 35" West a distance of 351.421 feet,
thence North 0° 40' 44" West a distance of 502.026 feet,
thence North 33° 39' 54" East a distance of 890.124 feet, being terminating point of permanent easement No. 1. The location of the terminating point is more particularly described as follows:

Commencing at an iron pin located at the centerline intersections of Wallen Road and Leo Road (formerly State Road #427), thence South 89° 34' 22" West a distance of 608.50 feet to a point in the centerline of Wallen Road,
thence South 29° 45' 12" East a distance of 398.912 feet,
thence South 29° 30' 12" East a distance of 484.723 feet,
thence South 56° 31' 27" East a distance of 347.569 feet,
thence South 62° 36' 29" East a distance of 334.281 feet,
thence South 47° 31' 23" East a distance of 308.308 feet,
thence South 20° 30' 24" East a distance of 372.575 feet,
thence South 63° 34' 29" East a distance of 337.783 feet.

The preceeding permanent easement centerline crosses through properties now or formerly owned by the following:

1. L. H. and E. H. Harmeyer - 79± acres
2. The City of Fort Wayne
3. Lincoln National Bank and Trust Company - 131.72± acres
4. Lincoln National Bank and Trust Company - 27.2± acres
5. The City of Fort Wayne - 46.65± acres

DULY ENTERED FOR TAXATION
JUN 11 1976
Joan D. Uebelhoer
AUDITOR OF ALLEN COUNTY
Instrument J 3540

City Bof

PERMANENT EASEMENT NO. 2

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Beginning at the terminus point of aforedescribed permanent easement No. 1,
thence South 84° 15' 21" East a distance of 585.128 feet,
thence South 86° 57' 06" East a distance of 397.931 feet,
thence South 63° 59' 21" East a distance of 389.587 feet,
thence South 34° 37' 57" East a distance of 701.875 feet,
thence North 73° 52' 22" East a distance of 677.039 feet,
thence North 74° 03' 07" East a distance of 963.535 feet,
thence North 74° 40' 22" East a distance of 1000.183 feet,
thence North 56° 05' 12" East a distance of 1079.711 feet,
thence North 17° 49' 59" West a distance of 566.438 feet,
thence North 15° 16' 26" East a distance of 366.164 feet, being terminating point of permanent easement. The location of terminating point is more particularly described as follows:

Commencing at an iron pin at the centerline intersections of Dupont Road and the Old Leo Road; thence South 57° 11' 27" West a distance of 3032.5 feet to a point in the centerline of Leo Road (formerly State Road #427),
thence South 24° 26' 4" East a distance of 204.113 feet,
thence South 0° 52' 47" East a distance of 387.563 feet,
thence South 0° 11' 46" East a distance of 404.308 feet,
thence South 0° 11' 46" East a distance of 502.336 feet,
thence South 1° 13' 47" East a distance of 491.689 feet,
thence South 0° 14' 46" East a distance of 499.387 feet,
thence South 4° 12' 9" West a distance of 499.688 feet,
thence South 1° 2' 47" East a distance of 438.901 feet,
thence South 32° 38' 44" East a distance of 424.089 feet,
thence South 31° 28' 4" East a distance of 402.412 feet.

The preceeding permanent easement centerline crosses property now or formerly owned by the following:

1. The City of Fort Wayne - 14.35± acres
2. Arnold E. and N. E. Kramer - 112.76± acres
3. Arnold E. and N. E. Kramer - 112.76± acres
4. Ivan C. and Ruth A. Bowser - 82.94± acres
5. James D. and Margaret H. Irving

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all Acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the Northwest Quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East of Allen County.

Adopted this 7th day of June, 1976.

BOARD OF PUBLIC WORKS
Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member
Max G. Scott
Max G. Scott, Member

ATTEST:
Ursula Miller
Ursula Miller

Reference: St. Joe Interceptor, Resolution No. 266 (Robinson Park to Martin Ditch).

Prepared by Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

57-334-1 H,
7/3/73

SEWER EASEMENT RESOLUTION NO. 120-1973

(TEMPORARY & PERMANENT)

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the Northwest quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East, bounded on the North by line extended East from Wallen Road to the St. Joe River, bounded on the East and South by the St. Joe River, bounded on the West by the East line of Section 7, Township 31 North, Range 13 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the Northwest quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East; bounded on the North by a line extended East from Wallen Road and the St. Joe River, bounded on the East and South by the St. Joe River, bounded on the West by the East line of Section 7, Township 31 North, Range 13 East, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

> Commencing at a proposed manhole located on the North line of Concordia Gardens and 10 feet West of the Northeast corner of Lot #182 of Concordia Gardens Addition; thence continuing across a 79± acres now or formerly owned by Lester H. and Esther H. Harmeyer on a bearing of North 21 degrees 51 minutes East on a line 10 feet West of and parallel to the Indiana & Michigan Electric Co. right of way for a distance of 380 feet to a proposed manhole #2.

2. Also an easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

> Commencing at a proposed manhole #2 described in paragraph 1 above; thence North 59 degrees 25 minutes East, a distance of 150± feet to point of beginning on the East right of way of the Indiana & Michigan Electric Co; thence continuing across a property now or formerly owned by the Lincoln National Bank & Trust Co. and a property now or formerly owned by the City of Fort Wayne on a continued bearing of North 59 degrees 25 minutes East for a distance of 640 feet to a point located on the Old Feeder Canal the proposed corner of the above said City of Fort Wayne property and the Lincoln National Bank & Trust Co. property; thence continuing across 27.2± acres described as the North part of Richardville Reserve between the Old Feeder Canal and the St. Joe River now or formerly owned by the Lincoln National Bank & Trust Co. a distance of 575± feet to the East line of said property; thence continuing across City of Fort Wayne property lying along the Westerly side of the St. Joe River, a distance of 66 feet to a proposed manhole #5; thence North 22 degrees 35 minutes West, a distance of 600 feet, thence North 33 degrees 30 minutes West, a distance of 326 feet; thence North 24 degrees 03 minutes West, a distance of 385 feet; thence North 2 degrees 45 minutes West, a distance of 350 feet; thence North 2 degrees 45 minutes East, a distance of 500 feet; thence North 40 degrees 25 minutes East, a distance of 760 feet to the Easterly right of way of the Indiana & Michigan Electric Co; thence continuing across the right of way of Indiana & Michigan Electric Co. on a bearing of North 40 degrees 25 minutes East, a distance of 130 feet to a proposed manhole #11 located North of Swift's Run; thence South 77 degrees 45 minutes East a distance of 110± feet to the Easterly line of said right of way line; thence continuing across City of Fort Wayne property

lying along the St. Joe River on a bearing of South 77 degrees 45 minutes East a distance of 470 feet; thence South 83 degrees 50 minutes East a distance of 400 feet; thence South 50 degrees 00 minutes East a distance of 400 feet; thence South 29 degrees 00 minutes East a distance of 430± feet to a point on the East property line of the 14.35± acre tract known as the Southwest corner of Bouries Reserve West of the St. Joe River now or formerly owned by the City of Fort Wayne; said point also being 45± feet Northeast of the high bank of the St. Joe River.

3. Also an easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on the various properties and described as follows:

Commencing at a point located approximately 45± feet Northeast of the St. Joe River and on the common property line of the City of Fort Wayne and Arnold E. & Neoma E. Kramer; thence continuing across 112.76± acres now or formerly owned by Arnold E. & Neoma E. Kramer on a bearing of South 29 degrees 00 minutes East, a distance of 263 feet; thence North 79 degrees 00 minutes East, a distance of 665 feet to the East line of said property; thence continuing across 112.76± acres now or formerly owned by Arnold E. & Neoma E. Kramer on continued bearing of North 79 degrees 00 minutes East, a distance of 958 feet to the East property line of said property; thence continuing across 82.94 acres now or formerly owned by Ivan C. & Ruth A. Bowser on a continued bearing of North 79 degrees 00 minutes East, a distance of 1010 feet to the East property line of said property; thence continuing across the East point of Bouries Reserve and part of Lot #6 of J. Cook's sub-division South of the Indiana & Michigan Electric Co. easement, now or formerly owned by James D. & Margaret H. Irving on a bearing of North 59 degrees 00 minutes East, a distance of 1084 feet; thence along the Westerly side of the St. Joe River on a bearing of North 15 degrees 00 minutes West, a distance of 560 feet; thence North 13 degrees 15 minutes West, a distance of 369± feet to a proposed manhole #22 located approximately 85± feet West of Martin Drain and 75± feet North of the high bank of the St. Joe River.

All easements as set forth on the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately West of the described permanent easement in paragraph #1 above.

2. An easement 100 feet in uniform width, lying adjacent to and immediately Northerly and Westerly of the described permanent easement in paragraph #2 above; also an easement 30 feet in uniform width lying adjacent to and immediately Southerly and Easterly of the described permanent easement in paragraph #2 above.

3. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph #3 above.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all Acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the Northwest quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East of Allen County.

Cty

120-1973

The temporary sewer easement to expire two (2) years from the date of adoption.

Adopted this 30 day of July, 1973.

Board of Public Works

Attest:
Edna L. Smith
Clerk

Reference: St. Joe Interceptor Sewer, Resolution No. 266 (Robinson Park to Martin Ditch).

120-1973
-e

Norton Motel —
Maumee Ave

73 18822 ~~3~~2-4 H.I
7/26/73

AGREEMENT

THIS AGREEMENT, made this 9TH day of JULY, 1973, by and between The Harrington Corporation, an Indiana Corporation, hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "City",

WITNESSETH:

WHEREAS, the Developer is the owner of the following described premises:

> Lots No. 1, except the East six (6) feet thereof, No. 2 and No. 3 in White and Detzer Addition to the City of Fort Wayne, Allen County, Indiana, as recorded in Document 70-12092 and Document 72-28206.

WHEREAS, the Developer has constructed a motel on the above described premises, and

WHEREAS, the Developer is required by the City to construct a storm water detention pond on the above described premises, and

WHEREAS, the Developer has agreed to construct said storm water detention pond and to provide perpetual maintenance for the said storm water detention pond.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements set forth, the parties hereto agree as follows:

1. The Developer will construct or cause to be constructed the storm water detention pond in accordance with the plans prepared by Melvin Rodenbeck, Professional Engineer, dated March 19, 1973 and approved by the City. Construction of the storm water detention pond shall be upon the Southeast corner of the above described premises.
2. Inasmuch as a detention pond is an unusual element of a storm drainage system, the Developer agrees that they will provide perpetual maintenance of said pond at their cost.
3. The Developer assumes all responsibility for the maintenance and operation of said detention pond and hereby guarantees said maintenance and agrees to save the City harmless from any liability therefrom.
4. The City agrees that at such time as the pond is no longer necessary for the detention of storm water, that this agreement shall automatically terminate and the City will execute a recordable document evidencing such terminating at the request of the Developer.

Irene Rinehart
ALLEN COUNTY RECORDER
1973 AUG 1 AM 11 39

This Agreement is accepted as a covenant which shall run with the above described premises and all rights hereto shall be binding upon the parties hereto their successors and assigns.

IN WITNESS WHEREOF, the parties have subscribed this Agreement this 9TH day of JULY, 1973.

HARRINGTON CORPORATION
BY Roger T. Harrington Pres

350

Water Pollution 7061

CITY OF FORT WAYNE, INDIANA

BY Ivan A. Lebamoff
Ivan Lebamoff, Mayor

BOARD OF PUBLIC WORKS

BY Jerry D. Boswell
Jerry D. Boswell, Chairman

Ronald L Bonar
Ronald L. Bonar, Member

William G. Williams, Member

ATTEST:
Edna S. Smith
Clerk

Approved as to form and legality

Associate City Attorney

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ivan A. Lebamoff, Jerry D. Boswell, Ronald L Bonar, & Edna Smith, who acknowledged the execution of the foregoing agreement for sewer extension, as, and for voluntary act and deed for the uses and purposes therein contained.

Anne L. Fox
Notary Public

My Commission Expires:
March 6, 1976

This Instrument prepared by Philip R. Boller, Chief Water Pollution Control Engineer.

59-331-3 H.I.

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

73 17580

WARRANTY DEED

This indenture witnesseth that ROBERT Y. KEEGAN and GERTRUDE J. KEEGAN, his wife, each over the age of 21 years

of Allen *County in the State of* Indiana

Convey and warrant to THE CITY OF FORT WAYNE, INDIANA

of Allen *County in the State of* Indiana
for and in consideration of One Dollar ($1) and Other Good and Valuable Consideration *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

1973 JUL 17 PM 2 52
ALLEN COUNTY RECORDER

The North Ninety (90) feet of Lot Number 55 in McCulloch's Second Addition to the City of Fort Wayne.

SUBJECT to all taxes, assessments, and the Zoning Ordinance of the City of Fort Wayne, Indiana.

The Grantors warrant as to their own acts only and not otherwise.

State of Indiana, Allen **County, ss:**
Before me, the undersigned, a Notary Public in and for said County and State, this 9th *day of* July *19* 73
personally appeared: ROBERT Y. KEEGAN and GERTRUDE J. KEEGAN, his wife, each over the age of 21 years

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires November 9, 1976

Deborah M. Kohrman
Deborah M. Kohrman *Notary Public*

Dated this 9th **Day of** July **19** 73

Robt Y. Keegan *Seal*
ROBERT Y. KEEGAN

Gertrude J. Keegan *Seal*
GERTRUDE J. KEEGAN

Seal

DULY ENTERED FOR TAXATION *Seal*
JUL 17 1973

Seal

Dorothy E. Raver
AUDITOR OF ALLEN COUNTY *Seal*

This instrument prepared by Robert Y. Keegan *Attorney at Law*

Instrument G 4694

4.50

MAIL TO: Board of Works Box

COPYRIGHT THE ALLEN COUNTY INDIANA BAR ASSOCIATION, INC. 1957

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

AFFIDAVIT

ROBERT Y. KEEGAN, being duly sworn, says that he is the owner of the record title of the following described real estate, to wit:

> The North 90 feet of Lot Number 55 McCulloch's Second Addition to the City of Fort Wayne, Allen County, Indiana,

which he proposes to contemporaneously herewith convey to the CITY OF FORT WAYNE, INDIANA.

Affiant says that the abstract of title to the said real estate makes reference in abstracting the records of the Estate of Margaret Ann Keegan, his deceased sister, to said real estate being subject to an outstanding Real Estate Contract in one FANNIE M. BROOKS to purchase said real estate; but Affiant says that said Contract, being in default, has been abandoned by said Contract purchaser and forfeited and canceled by this Affiant as the conditional vendor.

In support thereof, Affiant says that the Contract in question was dated June 30, 1956, and obligated said FANNIE M. BROOKS, as conditional vendee, to pay the sum of $6,500 for said real estate, payable $1,000 down and the balance in monthly installments of $55, plus interest at 6 percent per annum computed and payable semi-annually. Said FANNIE M. BROOKS has made no payment upon said Contract since September 11, 1972, has abandoned and vacated said premises, and that by reason of said defaults this Affiant, as conditional vendor, served written notice by certified mail under date of February 7, 1973, addressed to said FANNIE M. BROOKS of his intention and election to cancel and terminate said Contract.

Thereupon, this Affiant retook possession of said property which said defaulting purchaser had vacated and abandoned. Since the default of said Contract and the abandonment of said property as aforesaid, neither the said FANNIE M. BROOKS nor any person claiming by, under, or through her has asserted or claimed any interest in said real estate whatsoever.

Affiant makes this Affidavit for the purpose of inducing the CITY OF FORT WAYNE to accept title to said real estate, despite record evidence of the former interest of FANNIE M. BROOKS therein.

Further Affiant Saith Not.

ROBERT Y. KEEGAN

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 9th day of July, 1973.

Deborah M. Kohrman

Deborah M. Kohrman, Notary Public

My Commission Expires:

November 9, 1976

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5642-1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve the alley between Sherman Boulevard and Oakland Street

from the north property line of Greenlawn Avenue

to the south property line of Margaret Avenue

By draining, curbing, grading and paving the roadway to a uniform width of ten (10) feet with ~~Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation~~ Six (6) inch Plain Concrete ~~or with 8" Macadam, 2" Binder and 1" Asphalt Top~~

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum cost of $5.00 per front foot ~~The total cost of said improvement, excepting the cost of street and alley intersections~~, shall be assessed upon the real estate abutting on said alley as above described and on property within 150 feet of the line of the alley to be improved, and the balance of the total cost upon the City of Fort Wayne, Indiana, to the extent of the street and alley intersections. All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five (5)~~ six (6%) per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 26 *day of* July, 1973

BOARD OF PUBLIC WORKS:
D. Boswell
Ronald L. Bonar
William S. Williams

CALHOUN PRESS

Form 1931

DEPARTMENT OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

Street, Alley and Sidewalk Improvement Specifications

For Draining, Grading, Curbing, Paving and Improving

the alley between Sherman Boulevard and Oakland Street

from the north property line of Greenlawn Avenue

to the south property line of Margaret Avenue

(excepting the intersections of transverse streets that are already paved) with Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation or with six (6) inch Plain Concrete.

8″ Macadam, 2″ Binder and 1″ Asphalt Top may be used for Street improvements.
A plain six (6) inch Concrete pavement may be used for Alley improvements.
A plain five (5) inch Concrete pavement may be used for Sidewalk improvements.

length 240 lineal feet, center of street, alley or sidewalk, measurement, width 10 feet, between curbs or outside forms. Contractor will divide his cost by unit price to ascertain his bid price per lineal foot.

(expecting so much of the width, if any, as the Street Railway Company is bound by contract or otherwise to improve or pay the cost of improving, if such railway has made application or petition to construct all such portion of the improvement), under Improvement Resolution No. 5642, passed by the Board of Public Works of Fort Wayne, Indiana, the .... day of .... 19........

CALHOUN PRESS

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5641-1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Elmer Avenue

from the east property line of Sherman Boulevard

to the ~~property line of~~ existing pavement west of Sherman Boulevard, a distance of approximately 450 lineal feet.

By draining, curbing, grading and paving the roadway to a uniform width of twenty seven (27) feet B.B. with ~~Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation~~ Six (6) inch Plain Concrete ~~or with 8" Macadam, 2" Binder and 1" Asphalt Top~~

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum of $12.00 per front foot ~~The total cost of said improvement, excepting the cost of street and alley intersections~~, shall be assessed upon the real estate abutting on said Elmer Avenue as above described and on property within 150 feet of the line of the street to be improved, and the balance of the total cost upon the City of Fort Wayne, Indiana, to the extent of the street and alley intersections. All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five (5)~~ six (6) per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 26 *day of* July, 1973

BOARD OF PUBLIC WORKS: Ronald R. Bonar

CALHOUN PRESS

Form 1931

DEPARTMENT OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

Street, Alley and Sidewalk Improvement Specifications

For Draining, Grading, Curbing, Paving and Improving

Elmer Avenue

from the east property line of Sherman Boulevard

to the ~~property line of~~ existing pavement west of Sherman Boulevard,
a distance of approximately 450 lineal feet.

(excepting the intersections of transverse streets that are already paved)
with Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation or with six (6) inch Plain Concrete.

8″ Macadam, 2″ Binder and 1″ Asphalt Top may be used for Street improvements.
A plain six (6) inch Concrete pavement may be used for Alley improvements.
A plain five (5) inch Concrete pavement may be used for Sidewalk improvements.

length 464 lineal feet, center of street, alley or sidewalk, measurement, width 27 B.B. feet, between curbs or outside forms. Contractor will divide his cost by unit price to ascertain his bid price per lineal foot.

(expecting so much of the width, if any, as the Street Railway Company is bound by contract or otherwise to improve or pay the cost of improving, if such railway has made application or petition to construct all such portion of the improvement), under Improvement Resolution No. 5641, passed by the Board of Public Works of Fort Wayne, Indiana, the .... day of .... 19........

6 CALHOUN PRESS

59-3226

7/1

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5639 -1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve the alley between Glenwood Avenue and Kenwood Avenue

from the east property line of Rolston Street

to the west property line of Beacon Street

By draining, curbing, grading and paving the roadway to a uniform width of ten (10) feet with ~~Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation,~~ Six (6) inch Plain Concrete ~~or with 8" Macadam, 2" Binder and 1" Asphalt Top.~~

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum cost of $5.00 per front foot ~~The total cost of said improvement, excepting the cost of street and alley intersections~~, shall be assessed upon the real estate abutting on said alley as above described and on property within 150 feet of the line of the alley to be improved, and/the balance of the toal cost upon the City of Fort Wayne, Indiana, ~~to the extent of the street and alley intersections~~. All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of six (6) ~~five (5)~~ per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 26 *day of* July, 1973

BOARD OF PUBLIC WORKS:

Ronald L. Bonar

CALHOUN PRESS

Form 1931

DEPARTMENT OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

Street, Alley and Sidewalk Improvement Specifications

For Draining, Grading, Curbing, Paving and Improving

the alley between Glenwood Avenue and Kenwood Avnue

from the east property line of Rolston Street

to the west property line of Beacon Street

(excepting the intersections of transverse streets that are already paved) with Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation or with six (6) inch Plain Concrete.

8″ Macadam, 2″ Binder and 1″ Asphalt Top may be used for Street improvements.
A plain six (6) inch Concrete pavement may be used for Alley improvements.
A plain five (5) inch Concrete pavement may be used for Sidewalk improvements.

6" Plain Concrete

length 631.6 lineal feet, center of street, alley or sidewalk, measurement, width 10 feet, between curbs or outside forms. Contractor will divide his cost by unit price to ascertain his bid price per lineal foot.

(expecting so much of the width, if any, as the Street Railway Company is bound by contract or otherwise to improve or pay the cost of improving, if such railway has made application or petition to construct all such portion of the improvement), under Improvement Resolution No. 5639, passed by the Board of Public Works of Fort Wayne, Indiana, the .... day of .... 19........

CALHOUN PRESS

79-32-11

H.I

CITY OF FORT WAYNE

CONTRACT FOR PROFESSIONAL SERVICES

FOR

IMPROVEMENTS TO
FORT WAYNE WATER UTILITY

THIS AGREEMENT entered into as of this 24th day of July, 1973 by and between the City of Fort Wayne, a Municipal Corporation of the State of Indiana, herein referred to as "City" and

MURPHY CONSULTANTS, INC.
Suite 1100, 120 La Salle West
South Bend, Indiana 46601

Consulting Engineer authorized to do business in the State of Indiana, herein referred to as "Engineer".

WITNESSETH, that

WHEREAS, the City proposes to have certain studies made and make certain improvements to its Water Supply, Treatment and Distribution System; and

WHEREAS, certain professional engineering services are required in connection with such undertaking, hereinafter referred to as "Services"; and

WHEREAS, the Engineer is able and desirous of performing such professional services as may be required by City upon the terms and conditions hereinafter provided:

NOW THEREFORE, the parties hereto do mutually agree as follows:

I. Scope of Services. The Engineer shall perform and carry out in a satisfactory manner (as determined by the Department of Public Works acting by and through its City Engineer or his designated representative), the following services on matters pertaining to the City's hereinaforementioned Project.

A. Emergency Intake Improvements. The Engineer will prepare detailed plans and specifications for the construction of a headwall, intake gate and trash rack of the existing 48 inch diameter emergency intake at the Three Rivers Filtration Plant.

B. Water Resource Evaluation. The Engineer will prepare a comprehensive report containing the results of a water resource evaluation of the potential of St. Joseph River Basin for the long range needs of the Fort Wayne-Allen County Area. The evaluation shall include, but not be limited to, stream flow and deficiency analysis, studies of storage capability and possibility of supplemental water from sub-surface supplies. The report will contain recommendations regarding the need for additional water treatment facilities and any reinforcement to the primary distribution system.

Engineer will provide to the City fifty (50) copies of the Final Report.

II. General. The Engineer will proceed with the two items hereinbefore described only with the authorization of the City. Construction plans, Bidding Documents and Specifications prepared by the Engineer will be in conformance with existing format or standards previously established by the City or as may be established for this work. All plans shall be prepared on a drafting medium in size and format as prescribed by the City. Final tracings shall become the property of the City upon completion of the Project. The Engineer is responsible under this Agreement to provide sufficient layout information on the plans to permit the Contractor to lay out the proposed work. The Engineer is not responsible for the construction staking of the Project, but reserves the right to check and approve same.

A. Cooperation by the City. The City will furnish the Engineer with any prevailing information, data, previous studies, plans, etc. which will assist the Engineer in the performance of his services.

B. Additional Services of the Engineer. When authorized in writing by the City, the Engineer will furnish additional services beyond those contained in the defined scope of services.

C. Conferences. The Engineer shall attend such conferences with representatives of the City and other interested agencies as may be required in connection with the work and shall make his services available to the City during construction of the Project, for the interpretation of plans where disagreement may arise and for consultation during construction in the event unforeseen or unusual conditions arise. The Engineer shall also assign a Project Engineer qualified to act, in a liaison capacity, and to be available at reasonable times, on matters pertinent to the Project.

The Engineer will cooperate with the City in establishing a schedule of performance of all the items of the work in order to assure the orderly improvement of the Project. The engineer will confer with the City with regard to the funding of the Project as it applies to the schedule of planning and construction.

III. Fee Schedule and Method of Payment. The City shall pay and the Engineer shall accept the following compensation for the services contained in this Agreement.

A. Emergency Intake Improvements. For the completion of services performed, namely preliminary, design and construction phase, a lump sum fee equivalent to 7% of the estimated cost of construction established herein as $55,000.00.

B. Water Resource Evaluation for the Analytical Services and preparation of the Report, the lump sum fee of $16,000.00.

C. For Additional Services, if requested by the City in writing. Additional services during construction shall be paid at the rate of actual salaries of the personnel assigned, for the hours assigned, times a factor of two and one-half (2.5). If extraordinary expenses are incurred by the Engineer, they shall be brought to the attention of the City, and if approved in writing by the City prior to their incurrance, will be reimbursed.

Method of Payment. The Engineer shall submit to the City once each month a Progress and invoice for the amount or percentage of the work performed in the previous month with detailed descriptions of the days and hours worked. The City will retain ten percent (10%)

of the amount invoiced until the completion of the work. The retained amount shall be due and paid the Consultant within sixty (60) days of the final approval of the plans or report.

The fee set forth in Item "A" above covers services performed by the Engineer in three phases of work, namely: preliminary, design and construction. During the construction phase, the Engineer will review and recommend the approval or disapproval of the Shop and Fabrication Drawings submitted by the Contractor and make periodic inspection trips to the site to confer with the City and the Contractor. In the event the City would require full time inspection and resident engineer services on project construction, the fee for these services would be 1.75 times the direct salaries paid to the Engineer's employees plus a per diem expense for living and travel of $20 per day.

The Engineer's basic fee as set forth in Item "A" above does not include Soil Borings for Foundation Design. When required, these can be furnished by the City or contracted for by the Engineer and reimbursed by the City at the actual cost thereof.

IV. Time Schedule. The following time schedules shall apply to the performance of the services:

A. Emergency Intake Improvements. Final plans within 60 days after authorization by the City to proceed.

B. Water Resource Evaluation. First draft of Final Report withi 90 days after authorization by City to proceed, and Final Draft with comments of review from State regulatory authorities within 30 days after written approval and/or comment of the first draft.

V. Non-Discrimination. The Engineer agrees that in performing under this contract he shall not discriminate against any worker, employee or applicant, or any member of the public, because of race, creed, color or national origin, nor otherwise commit an unfair labor practice. The Engineer further agrees that this clause will be incorporated in all contracts entered into with suppliers of materials or services, contractors and subcontractors and all labor organizations furnishing skilled, unskilled and craft union skilled labor, or who may perform any such labor or services in connection with this contract.

VI. Compliance with Laws. The Engineer shall at all times observe and comply with all laws, ordinances and regulations of the federal, stat local and city government, which may in any manner affect the performance of the contract.

VII. Conflict of Interest. No member of the governing body of the City or other unit of government and no other officer, employee, or agent of the City or other unit of government who exercises any functions or responsibilities in connection with the carrying out of the project to which this contract pertains, shall have any personal interest, direct or indirect, in this contract.

The Engineer covenants that he presently has no interest and shall not acquire any interest, direct or indirect, in the project to which this contract pertains which would conflict in any manner or degree with the performance of his services hereunder. The Engineer further covenant that in the performance of this contract no person having any such interest shall be employed.

VIII. Insurance. The Engineer will purchase and maintain during the life of this contract insurance coverage which will satisfactorily insure them against claims and liabilities which could arise because of the execution of this contract. The insurance coverages required are as follows:

A. Workmen's Compensation insurance covering the Engineer for any and all claims which may arise against the Engineer because of the Indiana Workmen's Compensation Act and also the Indiana Workmen's Occupational Disease Act. The Employer's Liability Section of the Workmen's Compensation policy shall have a limit of not less than $100,000.00.

B. Comprehensive General Liability insurance protecting the Engineer against any and all Public Liability claims which may arise in the course of performance of this contract. The limits of liability for Bodily Injury coverage will be not less than $250,000.00 per person, including death, and $500,000.00 per occurrence. The Property Damage limits of liability should not be less than $250,000.00 per occurrence with an aggregate of not less than $500,000.00.

C. Comprehensive Automobile-Liability Insurance, including Employers Non-Ownership and Hired Car Coverage protecting the Engineer against Automobile claims whether on or off the Owner's premises with Bodily Injury limits of not less than $250,000.00 per person and $500,000.00 per occurrence and Property Damage limits of not less than $100,000.00 per occurrence.

D. Professional Liability insurance covering the Engineer against all sums which the Engineer may become obligated to pay by reason of the liability imposed upon the Engineer by law for damage resulting from any claim made against the Engineer arising out of the performance of the professional services for the City under this contract, in the capacity as Engineer and caused by any error, omission, or act of the Engineer, or of any person employed by the Engineer, or any others for whose actions the Engineer is legally liable. This professional liability insurance will remain in force, if generally available at substantially the same premium rates as those now in effect, for a period of not less than four years after the completion of this contract. The limit of liability of this insurance will be not less than the lesser of $1,000,000.00 or the total estimated construction cost of the projects assigned to the Engineer pursuant to this contract with a deductible of not more than $25,000.00.

E. Valuable papers insurance in an amount not less than the total design fee to be paid by the City under this contract to insure against any loss whatsoever which could damage or destroy records, papers, maps, statistics, survey notes, etc. relevant to this contract, and this insurance will have limits sufficient to pay for the re-creation, re-establishment, or restoration of these valuable papers.

The Comprehensive General Liability, Contractual Liability or Professional Liability coverages, or any combination thereof, will also protect the Engineer in at least the same limits of liability against claims which may arise because of the indemnity or contractual agreement contained within this contract.

The Engineer will furnish the City copies of Certificates of Insurance evidencing coverages as stated above issued by an insurance company authorized to do business under the laws of the State of Indiana and approved by the City. The Certificates of Insurance shall contain a contract description, policy numbers, expiration dates, limits of liability, and shall be signed by an authorized agent of the insuring company. Further, no cancellation or modification of the policy or policies described above shall occur without at least fifteen (15) days prior written notice given to the City. The City will not allow the Engineer to commence work on this contract until all insurance is purchased and evidence of such is received and approved by the City.

The insurance coverages as stated above, if generally available at substantially the same premium rates as those now in effect, will remain in full force and effect until the work specified in this contract is fully completed and accepted.

IX. Indemnity. The Engineer will indemnify, keep and save harmless the City, its agents, officials and employees, against all suits or claims that may be based on any injury to persons or property that is the result of an error, omission or negligent act of the Engineer or any person employed by the Engineer.

X. Changes. The City may, from time to time, request changes in the scope of the services of the Engineer to be performed hereunder. Such changes, including any increase or decrease in the amount of the Engineer's compensation, which are mutually agreed upon by and between the City and the Engineer, shall be incorporated in written amendments to this contract.

XI. Delays and Extensions. The Engineer agrees that no charges or claims for damages shall be made by him for any delays or hindrances from any cause whatsoever during the progress of any portion of the services specified in this contract. Such delays or hindrances, if any, shall be compensated for by an extension of time for such reasonable period as may be mutually agreed upon between the parties, it being understood, however, that the permitting of the Engineer to proceed to complete their services or any part of them after the date to which the time of completion may have been extended, shall in no way operate as a waiver on the part of the City or any of its rights herein.

XII. Ownership of Documents. All documents, data, studies and reports as instruments of service are to be the property of the City. During the performance of the engineering services herein provided for, the Engineer shall be responsible for any loss or damage to the documents herein enumerated while they are in his custody. Any such document lost or damaged shall be restored at the expense of the Engineer. Full access to the work during the preparation of the plans shall be available to the City and other public agencies interested in this work.

XIII. Termination for Default. If, through any cause, the Engineer shall default in performance of this contract in accordance with its terms and has failed to cure such default within thirty (30) days after receipt of a notice specifying such default, the City may terminate this contract. In such event, all finished or unfinished documents, data, studies and reports prepared by the Engineer under this contract shall, at the option of the City, become its property. If the contract is so terminated, the City may take over the work and services and prosecute same to completion by contract or otherwise, and the Engineer shall be liable to the City for any excess costs occasioned the City thereby. Any such excess costs shall be liquidated by use of the retained percentages of progress payments due for work completed prior to termination for default. If such retained funds are not sufficient to liquidate such liability, the City shall make a written demand upon the Engineer for the unwritten liquidated balance thereof.

In case the City shall act under the last preceding paragraph, the Engineer shall deliver to the City within twenty (20) days all finished or unfinished documents, data, studies, and reports prepared by the Engineer under this contract. In the event of the failure by the Engineer to make such delivery upon demand, then and in that event, the Engineer shall pay to the City any damages it may sustain by reason thereof.

XIV. Termination for Convenience. The City may terminate this contract, or any portion of service to be performed herein, at any time by a notice in writing from the City to the Engineer, or if sufficient funds have not been appropriated to cover the estimated requirement. If the contract is terminated by the City as provided herein, the Engineer shall deliver to the City all finished or unfinished documents, data, studies, and reports prepared by the Engineer under this contract and these shall be and become the property of the City. Payment for the work performed before the effective date of such termination shall be based upon an estimate of the services actually performed by the Engineer to the date of termination. Such estimate shall be mutually agreed upon by the City and the Engineer. Such payment so made to the Engineer shall be in full settlement for services rendered under this contract. If this contract is terminated due to the fault of the Engineer, the previous section hereof relative to termination shall apply.

XV. Notice. Notice as provided for herein shall be transmitted to the City Engineer, Department of Public Works, City of Ft. Wayne, City-County Building, Ft. Wayne, Indiana 46802 and to

Engineer by First Class Prepaid mail addressed to Murphy Consultants, Inc., 120 La Salle West, Suite 1100, South Bend, Indiana 46601. Any notice to the Engineer shall be deemed received when mailed.

IN WITNESS WHEREOF, the City and the Engineer have executed this Agreement as of the date written above.

CITY OF FORT WAYNE

Mayor

ATTEST:

Edna L. Smith
Secretary, Board of Public Works

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE

Ronald L. Bonar

JUL 24 1973

MURPHY CONSULTANTS, INC.
Professional Engineers

President

Carter H. Meany Jr.
Secretary

Subscribed and sworn to before me

this 13th day of June 1973.

Virginia Thurkow
Notary Public

74 SEP -4 PM 3:20 74- 20732
ALLEN COUNTY RECORDER
June E.

STATE OF INDIANA)
)SS: AFFIDAVIT
COUNTY OF ALLEN)

Ronald L. Bonar, being first duly sworn according to law, says:

1. That on the 16th day of July, 1973, Ken Niemeyer, Inc., and the City of Fort Wayne, Indiana, entered into a certain sewer extension agreement for Lake Forest Addition Extended, Section V, which agreement was duly recorded on August 31, 1973, as Document No. 73-21871 in the Office of the Recorder of Allen County, Indiana.

2. That in the description of the sanitary sewers to serve the area described in said sewer extension agreement, appears a description entitled "Lateral A-1," which description, in the tenth line thereof, reads as follows: "of Turkey Run Drive; thence due North 540± Lineal to."

3. That due to a scrivener's error the word "North" was inserted in said line of legal description when the true and correct direction should have been "West", and that the correct reading of said lin e of legal description is, and should be, "of Turkey Run Drive; thence West 540± Lineal feet to."

4. That said legal description entitled "Lateral A-1" was prepared under the direction and pursuant to the authority of the Board of Public Works of the City of Fort Wayne, Indiana, of which affiant is a member.

5. That further affiant saith naught.

Ronald L Bonar
RONALD L. BONAR

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this 7th day of June, 1974.

My Commission Expires:
October 13, 1976

Edna L. Smith
Notary Public

This instrument prepared by Frederick S. Meessen, Attorney at Law.

Bd. of Works Box. attn- Edna Smith

2.50 ck

Forest Extended Addition, Section III, to the point-of-beginning, containing 24.64 acres more or less.

Bd. of Works Box

7.50

ALLEN COUNTY RECORDER

1973 AUG 31 PM 3 18

73-21871

SEWER EXTENSION AGREEMENT FOR
LAKE FOREST ADDITION EXTENDED
SECTION V

THIS AGREEMENT, executed this 16th day of July, 1973, between Ken Niemeyer, Inc., hereinafter referred to as "Niemeyer", and the "CITY OF FORT WAYNE, INDIANA," an Indiana municipal corporation, hereinafter referred to as the "City", WITNESSETH that:

WHEREAS, Niemeyer desires to improve and develop a tract of land approximately twenty-four (24) acres in size, outlined in red on the map attached hereto and marked Exhibit A, which is herein called the "Tract", and desires to obtain sewer services from the City by connecting said Tract to an extension of the present city sewers which exist in Lake Forest Addition, Section III.

NOW THEREFORE, Niemeyer and the city in consideration of the premises do hereby agree as follows: The Tract to be served is situated in Allen County, Indiana and described as follows, to-wit:

> Part of Out Lots 1 and 2 in J. Browning's Subdivision of Kercherval Reserve, in Allen County, Indiana, more particularly described as follows, to-wit:
>
> Commencing at the Northwest corner of Lake Forest Extended Addition Section III, being a point on the West line of said Out Lot 2. Thence North 0 degrees 16 minutes West along said West line a distance of 1038.9 feet to a point; thence North 89° 42' 20" East 336.36 feet; thence South 00° 19' 40" East 460 feet; thence South 75° 37' 20" East 350.45 feet; thence North 00° 19' 40" West 375 feet; thence North 89° 42' 20" East 355 feet; thence South 00° 19' 40" East 558.75 feet; thence South 89° 47' East 986.61 feet to the West right-of-way of Maysville Road; thence South 32°22' 40" West on said West right-of-way of Maysville Road 59.06 feet; thence North 89° 47' West 513.6 feet to a point (being on the East bank of the Walke Ditch); thence South 39° 01' West 298.8 feet to a point (on said East ditch bank); thence South 45° 57' West 299.2 feet to a point (on said East ditch bank); thence North 89° 39' West 1047.91 feet along the North line of Lake Forest Extended Addition, Section III, to the point-of-beginning, containing 24.64 acres more or less.

Bd. of Works Box

750

FURTHERMORE, Niemeyer agrees to pay the City an acre charge at a rate of $500 per acre for each acre in the described real estate Tract, which generates the amount of $12,000, the receipt thereof is hereby acknowledged.

DESCRIPTION OF SANITARY SEWERS TO SERVE SAID TRACT ARE:

Lateral A-1

Commencing from a proposed manhole over an existing 30" sanitary sewer located 40 ± Lineal Feet South of the Southeast corner of Lot #9 of said addition; thence Northwest 73 ± Lineal Feet to a proposed manhole located 15 ± Lineal Feet North of the Southwest corner of Lot #9; thence due North 121 ± Lineal Feet to a proposed manhole located 8 ± Lineal Feet North of the Northwest corner of Lot #9. Said manhole more particularly described as being 8 ± Lineal Feet North of the South right-of-way line of Turkey Run Drive; thence due North 540 ± Lineal Feet to a proposed manhole located 17 ± Lineal Feet West of and 17 ± Lineal Feet South of the centerline intersection of Turkey Run Drive and Skyhawk Drive; thence due North 900 ± Lineal Feet terminating at a proposed manhole located 17 ± Lineal Feet East of the centerline of Skyhawk Drive and 5 ± Lineal Feet North of the Northwest corner of Lot #29 of said addition.

Lateral A-1-A

Commencing from a proposed manhole located 17 ± Lineal Feet East of and 17 ± Lineal Feet South of the centerline intersection of Skyhawk Drive and Turkey Run Drive; thence due South 80 ± Lineal Feet terminating at a proposed cleanout located 17 ± Lineal Feet East of the centerline of Skyhawk Drive and 5 ± Lineal Feet South of the Northeast corner of Lot #17 of said addition.

Lateral A-2

Commencing from a proposed manhole located 17 ± Lineal Feet East of and 17 ± Lineal Feet South of the centerline intersection of Turkey Run Drive and Cimarron Pass; thence Northerly generally along the East right-of-way of Cimarron Pass 1215 ±

Lineal Feet terminating at a proposed manhole located 17 ± Lineal Feet East of and 105 ± Lineal Feet North of the Northwest corner of Lot #52 of said addition.

Lateral A-3

Commencing from a proposed manhole located 17 ± Lineal Feet South of the centerline of Turkey Run Drive and due North of the Northwest corner of Lot #9 of said addition; thence Easterly along the South right-of-way line of Turkey Run Drive 580 ± Lineal Feet, terminating at a proposed manhole located 5 ± Lineal Feet East of the most Westerly corner of Lot #1 of said addition and 17 ± Lineal Feet South of the centerline of Turkey Run Drive.

Said sewers shall be 15", 12", and 8" in diameter.

COST OF CONSTRUCTION:

The developer agrees to pay the entire cost and expense of construction of sanitary sewer and hold the City harmless from any liability for claims connected therewith. Upon satisfactory completion of aforedescribed Sewer System, the City will accept for maintenance as part of the City Sanitary Sewer System.

BOND:

This contract is subject to Developer furnishing a satisfactory Guaranty Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the City.

LIMITATION ON USE:

Said sewer shall be constructed for disposal of sanitary sewage only and neither the parties hereto, their successors, or assigns, or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said sanitary sewer, any water runoff caused by natural precipitation or anything other than sanitary sewage or contaminated waste.

WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION:

The "Developer", for himself, his successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of any territory now or hereafter owned by him.

In further consideration and to induce City to execute and ratify this contract, said Developer for himself, his successors and assigns, agrees by this contract to vest in City the permanent right at its discretion to annex to the City of Fort Wayne at any future time by duly authorized ordinance the said real estate.

Developer further agrees that any deeds, contracts, or other instruments of conveyance made by the Developer, its successors or assigns, transferring or conveying any interest or title in and to any of the real estate, shall contain the waiver and release provisions contained in this article, which provisions shall run with the land and the acceptance of the delivery of any such instrument from the Developer, his successors and assigns by any grantee, vendee, or contract purchaser, shall be made subject to the terms of this Agreement and shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contract purchaser and their successors in title.

The Developer further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of City as hereinafter provided.

Any owner or owners of land which is now, or hereafter located outside the corporate limits of City who connect into the sewer constructed hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said sewer.

GOVERNING STATUTE:

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1969 Supple., Sections 48-3963, 3964 and 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

COUNCILMATIC APPROVAL:

It is understood and agreed that this Contract is in all respects subject to approval by the Common Council of City, by duly adopted Ordinance, and if such Ordinance is not adopted within a period of Ninety (90) days after execution thereof, this Contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER:

Ken Niemeyer
KEN NIEMEYER, INC.

CITY OF FORT WAYNE, IND.

BY
(IVAN A. LEBAMOFF) Mayor

BOARD OF PUBLIC WORKS

BY
BY Ronald K. Bonar
BY

ATTEST:
Edna L. Smith
Clerk

Approved as to form and legality

Associate City Attorney

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ken Niemeyer, who acknowledged the execution of the foregoing agreement for sewer extension, as and for his voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 10th day of July, 1973.

My Commission Expires:
March 31, 1975

This instrument prepared by Phillip Boller the Water Pollution Control Department of the City of Fort Wayne

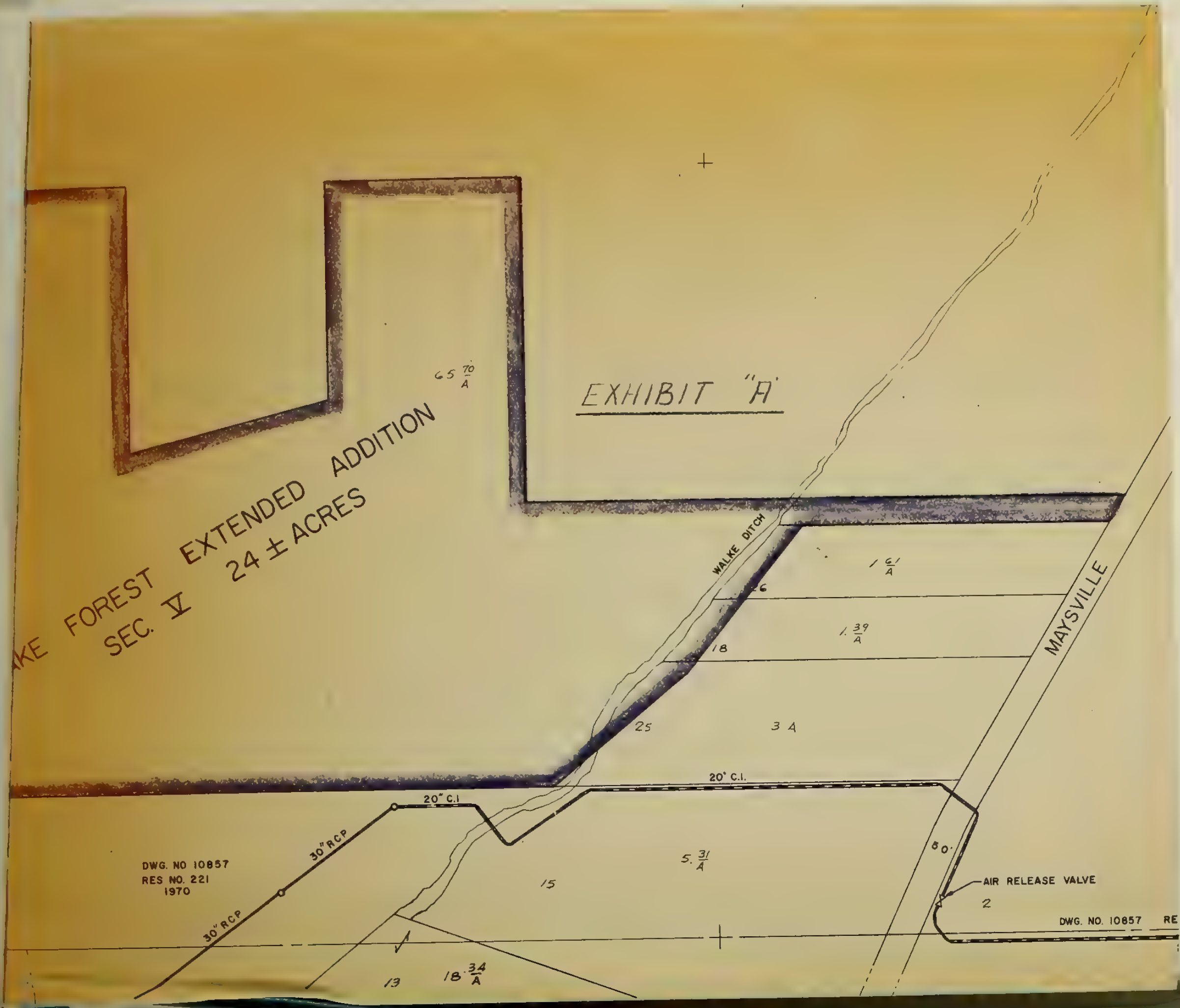
EXHIBIT "A"
KE FOREST EXTENDED ADDITION
SEC. V 24 ± ACRES
65 70/A
WALKE DITCH
1 61/A
1.39/A
18
25
3 A
MAYSVILLE
20" C.I.
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DWG. NO 10857
RES NO. 221
1970
5.31/A
15
80'
AIR RELEASE VALVE
2
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13
18.34/A

/ See Amendment - Book 60

AGREEMENT

THIS AGREEMENT made as of the 10th day of July, 1973 in the year 1973 by and between the City of Fort Wayne, Indiana (hereinafter called the Owner), acting by and through the Board of Public Works, and Philip L. Schnelker, Inc., Consulting Engineers (hereinafter called the Engineer), Fort Wayne, Indiana.

WITNESSETH, that whereas the Owner intends to construct certain roadway improvements to the Lower Huntington Road between the Baer Field Thruway and Winchester Road (hereinafter called the Project).

That whereas the Owner desires certain direct assistance in the preparation of the Construction Drawings in order to expedite construction of the Project.

NOW THEREFORE, that the Owner and Engineer in consideration of the mutual covenants hereinafter set forth, agree as follows:

1. Said Engineer will serve as the Owner's professional engineering representative and will give consultation and advice to the Owner during the performance of his services.
2. Said Engineer will prepare Construction Drawings of the Project, including: topographic surveys, street plans and profiles, storm sewer plans and profiles, and miscellaneous details required in order for the Owner to construct, or cause to have constructed, the Project.
3. Said Engineer will incorporate by reference the Owner's applicable standard specifications and such special specifications or notations as required on the Construction Drawings.
4. Said Owner will provide the Engineer with all applicable design criteria required to complete the Project Drawings.
5. Said Owner will provide, or cause to have provided, the Engineer with details of the Allen County drainage structures that are required for completion of the project; said County drainage structures to be designed and constructed under Allen County jurisdiction.
6. Said Engineer will present copies of the Construction Drawings within thirty (30) days after acceptance of this Agreement and notification by the Owner to proceed, to the Owner and the Allen County jurisdictional authorities for review, comments, and/or approval.

   Upon review of said Construction Drawings by the Owner and Allen County, if revisions or alterations to same are deemed advisable or necessary the Engineer will promptly make such revisions or alterations within ten (10) days thereafter.

7. Upon satisfactory completion of the Construction Drawings and acceptance of same by the Owner, the Engineer will turn the reproducible tracings of said Construction Drawings over to the Owner for further disposition and use during the contractor bidding and construction stages, which shall constitute termination of the Engineer's services.

8. Said Owner will professionally and diligently provide all services required to advertise the Project for bids, construction staking and inspection, and during the course of said actions the Owner shall promptly notify the Engineer of any discrepancies, errors, or omissions in the Construction Drawings prepared by the Engineer in order that any such unforeseen problems can be mutually solved by all those so concerned.

9. The Owner will pay and the Engineer agrees to accept a fee for the services hereinbefore described, of 5% of the project construction costs, with the maximum payment not to exceed $11,000.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

Board of Public Works
City of Fort Wayne, Indiana

Boswell
Ronald L V Bonar

JUL 10 1973

Edna L. Smith
ATTEST

Philip L. Schnelker, Inc.
Consulting Engineers

Philip L. Schnelker President
James S. Russell Secretary

Approve as to Form and Legality

JOHN FLECK, ASSOCIATE CITY ATTORNEY

IMPROVEMENT RESOLUTION
FOR STREETS
NO. 5638 1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, That it is deemed necessary to improve by resurfacing the following streets:

1. Buena Vista Drive from the north property line of Lawndale Drive to the south property line of Curdes Avenue, to a width of 18 feet,

2. Glencairn Drive from the north curb line of Vance Avenue to the north property line of Fairlawn Pass, to a width of 23 feet,

3. St. Joe Road from a point approximately 350 feet north of St. Joe Center Road to the south pavement line of Evard Road, to a width of 22 feet,

4. Elwood Drive from the north property line of Fairlawn Pass to the south property line of Trierwood Park Drive, to a width of 23 feet,

5. Fairlawn Pass from the east property line of Glencairn Drive to the west property line of Elwood Drive to a width of 23 feet,

6. Lake Avenue from the east curb line of St. Joseph Boulevard to a point 50 feet east of Tecumseh Street, to a width of 30 feet,

7. Goshen Road from the north property line of State Boulevard to the east curb line of Sherman Boulevard, to a width of 30 feet,

8. Dartmouth Drive from the north property line of Catalina Avenue to the south pavement line of Washington Center Road, to a width of 23 feet,

9. Sandpoint Road from the west pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet,

10. Engle Road from the east pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet.

11. Eby Avenue from the west property line of Bevel Avenue to the east property line of Paul Street to a width of 26 feet,

12. Lenox Avenue from the west property line of Hoagland Avenue to the east property line of Fairfield Avenue, to a width of 23 feet,

13. Doan Drive from the east property line of Calhoun Street to the east property line of Noll Avenue, to a width of 23 feet,

14. Noll Avenue from the south property line of Doan Drive to a point 40 feet north of the north property line of Paulding Road, to a width of 29 feet,

15. Harrison Street from the south property line of Crown Lane to the south property line of Southfair Court, to a width of 26 feet,

16. Mount Vernon Park from the west property line of Bowser Avenue to the north property line of Roosevelt Drive, to a width of 26 feet,

(Continued)

IMPROVEMENT RESOLUTION

FOR STREETS

NO. 5638 1973

17. Bowser Avenue from the north curb line of Capitol Avenue to the south property line of McKinnie Avenue to a width of 26 feet,

18. Bowser Avenue from a point 200 feet south of Roosevelt Drive to the east curb line of Oliver Street, to a width of 20 feet and 26 feet,

19. Oliver Street from the south property line of Capitol Avenue to the north property line of Pettit Avenue, to a width of 20 feet and 26 feet,

20. South Anthony Boulevard from a point approximately 525 feet south of U.S. Highway 27 south to a point approximately 840 feet south thereof, to a width of 20 feet.

with Hot Asphalt Binder - City Mix A-2 - State Mix (Type "B")

all in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana, out of monies currently appropriated from Revenue Sharing Funds for Street Repair and Rehabilitation.

ADOPTED, this 3rd day of July, 1973.

BOARD OF PUBLIC WORKS

(Boswell
(Ronald L Bonar
(

Sheet 2 of 2

CONTRACT FOR ENGINEERING SERVICES

FOR

IMPROVEMENTS TO U. S. ROAD 27 WHICH INCLUDES
STREET WIDENING, SIGNALING, LIGHTING AND INTERSECTION IMPROVEMENTS
FROM STATE ROAD 3 TO U. S. ROAD 30 IN THE
CITY OF FORT WAYNE, INDIANA

BY AND BETWEEN THE

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

AND

BEAM, LONGEST & NEFF, INC.
CONSULTING ENGINEERS
INDIANAPOLIS, INDIANA 46250

A STANDARD FORM OF AGREEMENT BETWEEN
OWNER AND ENGINEER

Fee is Per Cent of Construction Cost

THIS AGREEMENT, made this 28th day of June, 1973, by and between the City of Fort Wayne, acting by and through its Board of Public Works of the City of Fort Wayne, Indiana, hereinafter called the OWNER, and Beam, Longest & Neff, Inc., hereinafter called the ENGINEER, WITNESSETH, That whereas the Owner intends to construct improvements to U. S. Road 27 which include street widening, signaling, lighting, and intersection improvements from State Road 3 to U. S. Road 30, in the City of Fort Wayne, Indiana, hereinafter called the PROJECT. NOW, THEREFORE, the Owner and Engineer for the consideration hereinafter set forth, agree as follows:

ARTICLE 1. THE ENGINEER AGREES to perform the following engineering services for the Project:

A. Phase I - Preliminary Engineering Design and Right of Way Plans.

After receiving from the Owner, written notice to proceed with the Preliminary Engineering Design, the Engineer agrees to:

1. Make the Design Survey, including all required survey data necessary for the preparation of Contract Plans, the Engineer may obtain survey Data by photogrammetric methods. Such Design Survey shall be in accordance with the accepted standards of practice as used by the Indiana State Highway Commission. As part of Survey, Engineer shall establish survey base line and/or center line of street, and reference points at street intersections and benchmarks.

2. Prepare Preliminary Plans, Itemized Preliminary Construction Cost Estimates in sufficient detail and accuracy as required to prepare final contract plans and specifications. Such Preliminary Plans and Cost Estimates shall be in accordance with accepted standards of practice as used by the Indiana State Highway Commission. Plans to include roadway design, signing, street lighting, and signalization of the intersection of Clinton and U. S. 27.

3. Where additional Right of Way is required, either permanent or temporary, it will be indicated on the plan sheets. Should Plats and Instruments required for acquisition of Right of Way be needed, they will be furnished under Article 4C, in accordance with "Right of Way Engineering Procedures Manual", dated 1972, by the Indiana State Highway Commission.

4. Engineer shall locate and identify all utilities (underground and aerial) accurately and if necessary request excavations to determine exact horizontal and vertical locations. Owner shall provide or cause to be provided, labor and materials for required excavations, and Engineer shall provide survey crew to measure locations.

5. Environmental Statement - The Engineer shall furnish the Owner with data but the Engineer shall not prepare the Environmental Statement or Design Study Report under this contract.

B. Phase II - Final Engineering Design. Upon approval of the Preliminary Engineering Design by the Owner and after receiving from the Owner written notice to proceed with Final Engineering Design, the Engineer agrees to:

1. Prepare Final Contract Plans and Specifications for the following, including Special Provisions, Proposal Forms, Notice to Bidders, and Itemized Final Estimates of cost of construction, in accordance with accepted standards of practice as used by the Indiana State Highway Commission.

   a. Roadway Construction.
   b. Signing installation.
   c. Street lighting installation.
   d. Signalization of the intersection of Clinton and U. S. 27, except for computer circuits which shall be furnished by the Owner.
   e. Show street right of way line and adjacent property owners with street address. Owner to furnish property ownership list to Engineer.
   f. If separate plans are used for street lighting details, pole bases shall be spotted on Roadway Construction Plans.

2. Furnish Reproductions. The Engineer shall furnish the Owner with one set of reproducible sepias or mylars of the final approved Contract Plans and Cross Sections, and four (4) sets of reproductions of the final approved Contract Specifications. The Final Estimate of Cost shall be presented to the Owner in its original prescribed form for safekeeping, and no other distribution of said Estimate of Construction Cost shall be made.

3. Governmental Agencies. The Owner shall obtain written approvals of Engineering Design from all affected governmental agencies; railroads and utilities where required.

4. Design Reports. The Engineer shall submit to the Owner monthly Preliminary and Final Engineering Design Status Reports showing progress and percent complete.

C. Phase III - Construction Phase. If requested in writing by the Owner and after the Contractor's written order to proceed, the Engineer shall proceed with the general engineering inspection of the construction and shall:

1. Provide general engineering administration of the construction contract including, at the Owner's request, the giving of technical engineering information to legal counsel as an aid to the interpretation and clarification of the Contract Documents.

2. Check and approve Contractor's requests for payment, samples, catalogue data, schedules, shop drawings, laboratory, shop and mill tests of equipment and other data which the Contractor is required to submit, only for conformance with the design concept of the Project and compliance with the information given by the Contract Documents; and shall collect all guarantees required of Contractors and suppliers but shall not prepare any required guarantees without approval of legal counsel.

3. Engineer shall provide Owner with one (1) set of reproducible "As Built" drawings following completion of construction reflecting actual conditions as found and constructed. Owner will provide Engineer with necessary information in the event the Engineer does not perform Phases IV and V.

D. Phase IV - Resident Engineer and Inspectors. Upon written request by the Owner, the Engineer shall provide a qualified resident engineer and necessary inspector(s) during active installation and construction of the Project to perform project engineering and inspection services required by City, State and Federal Highway Officials. This service shall be comprehensive to include all reports, approval of contractor's materials, testing, approval of contractor's invoices, monthly progress reports, etc., which will be necessary for full completion and acceptance of the Project by the City, State and Federal Highway representatives.

E. Phase V - Construction Engineering. If requested by the Owner in writing, the Engineer agrees to:

1. Furnish all materials and labor to set layout and grade stakes for the construction of this Project,
    a. One (1) week notice will be required in advance of staking needed.
    b. Stakes will be set only one (1) time. Should the Contractor inadvertently knock out stakes, reimbursement for replacing shall be required on an actual time, plus overhead and expense, plus profit basis.
2. The Engineer will not furnish a full-time crew under this Contract unless the Owner requests and negotiates additional compensation to cover full-time residents.

F. Attend Conferences. For all phases authorized by the Owner, the Engineer shall attend such conferences, record and distribute minutes, with the officials of the Owner and other interested agencies and governmental units as may be required in connection with the work. Compensation for this service shall be included in the fee for the respective phase.

ARTICLE 2. COMPLETION SCHEDULE. After receiveing from the Owner written notice to proceed, the Preliminary Plans, Right of Way Plans (Phase I) and Final Contract Plans, (Phase II) shall be completed by the Engineer and submitted to the Owner for its approval in accordance with the following schedule:

Design Schedule:

Preliminary Plans (Phase I) completed within Ninety (90) Calendar Days, after written authorization to proceed with Preliminary Engineering Design.

Right of Way Plans (Phase I) submitted within Thirty (30) Calendar Days after written approval of Preliminary Engineering Design.

Final Contract Plans (Phase II) completed within Sixty (60) Calendar Days after written authorization to proceed with Final Engineering Design and approval of regulatory Governmental Agencies.

The above timetable shall be subject to documented delays due to required approval by regulatory Governmental Agencies or other causes.

For each calendar day the engineer fails to complete his work in accordance with the completion schedule, a penalty of $100.00 per calendar day shall be deducted from his compensation.

ARTICLE 3. INFORMATION AND SERVICES TO BE FURNISHED OR CAUSED TO BE FURNISHED BY OWNER.

The Owner shall furnish the Engineer with the following:

A. Criteria for design and detail such as project limits, pavement and median widths, grades, curves, sight distances, clearances, design loadings, etc.

B. Any necessary soil borings or assist in subsurface investigations that may be required for the engineering design.

C. Reproducible Roadway and/or Bridge Standards required for construction of the project including the Owner's Standard Title Sheet and Construction Identification Sign to be incorporated into the Contract Plans.

D. Guaranty of Title, requirements for Land Plat preparation, the Owner's Standard Instrument necessary for Right of Way Acquisition upon which Legal Description is to be placed.

E. Prepare or cause to be prepared all advertisements for bids and cause same to be properly advertised.

F. Furnish the necessary reproductions of the Contract Plans and Contract Documents necessary for construction of the project for distribution to the Contractors, Sub-contractors, utilities, and suppliers prior to the date for receipt of construction bids.

G. Prepare and submit the Environmental Statement and Design Study Report from data furnished by the Engineer.

H. Street lighting design indicating pole spacing, size and type of luminaire, wiring, etc.

ARTICLE 4. THE ENGINEER'S COMPENSATION FOR SERVICES:

A. The Owner, for and in consideration of the renderings of the Engineer's Basic Services, Phases I, II and III, herein described, agrees to pay to the Engineer, a fee of Seven and one-quarter percent (7¼%) of the construction cost, but the total fee for design shall not exceed $26,685.00. This fee to be paid in the following manner.

Payment on account of the Engineer's Basic Services shall be made monthly on receipt of an itemized claim in proportion to services performed to increase the compensation for basic services to the following percentages at the completion of each phase of the work.

PHASE I

1. Upon the Engineer's completion of the Design Survey, one and one-half percent (1½%) of the construction cost, based upon the Engineer's Preliminary Estimate.
2. Upon the completion of other items in Phase I and the Engineer's submission of Preliminary Plans and Preliminary Right of Way Plans to the Owner and other interested governmental agencies, one and one-half percent (1½%) of the construction cost, based upon the Engineer's Preliminary Estimate.
3. Upon the approval of Preliminary Plans and Preliminary Right of Way Plans by the Owner and other interested Governmental agencies, one-quarter of one percent (0.25%) of the construction cost, based upon the Engineer's Preliminary Estimate.

PHASE II - FINAL ENGINEERING DESIGN

1. Upon the completion and submission of Final Plans to the Owner and other interested Governmental agencies, two and one-half percent (2½%) based on the Engineer's Final Estimate.
2. Upon the approval of Final Plans by the Owner and other interested Governmental agencies, one-half of one percent (0.5%) based on the Engineer's Final Estimate.
3. Upon receipt of bids Six and three-quarters percent (6 3/4%) of the lowest and best bid less previous payments made under Phases I and II.

cc: Ken Naylor

PHASE II - CONSTRUCTION PHASE For services during the construction phase provided in Phase II hereof, the Engineer shall receive compensation of one-half of one percent (0.5%) of the construction cost, payable monthly in proportion to the Monthly Progress Estimates providing a total basic percentage fee for Phases I, II and III in the amount of Seven and one-quarter percent (7¼%) of the cost of construction.

B. Optional Basic Services

PHASE IV - RESIDENT ENGINEER AND INSPECTORS

For the Resident Engineer and Inspectors services provided for in Phase IV hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.8, but not to exceed total fee of $30,000.00.

This fee to be paid monthly upon submission of a claim to the Owner.

PHASE V - CONSTRUCTION ENGINEERING

For the Construction Engineering provided for in Phase V hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.8, but not to exceed a total fee of $15,000.00.

The above fees to be paid following completion of each phase or sub-phase and submission of an itemized claim in proportion to services performed as presented in the Monthly Engineering Design Status Reports.

C. Right of Way Documents

The Owner, for and in consideration of the renderings of Engineering Services for the preparation of Legal Descriptions and Land Plats, if requested in writing by the Owner, agrees to pay to the Engineer as follows:

1. For each description requiring a plat, a fee of One Hundred Dollars ($100.00) per description.
2. For each description which does not require a Land Plat, a fee of Fifty Dollars ($50.00) per description.

D. Change in Scope

In the event there is a major change in scope and character of the work after survey or plan work has progressed as directed by the Owner, adjustments in the fee payable to the Engineer as outlined in Article 4A and in the completion schedule as outlined in Article 2 shall be determined through arbitration between the parties to the Agreement.

cc: Ken Traylor

E. Engineer's Maximum Compensation

The Engineer's Estimated Construction Cost and maximum amount from which the Engineer's Compensation shall be computed for Phases I, II and III is Three Hundred Sixty Eight Thousand and sixty eight dollars ($368,068.00).

F. Additional Services

In the event that the Engineer is directed by the Owner to cause to be made borings and detailed estimates of right of way cost, or other additional services not covered in Phases I through V, the Engineer shall be reimbursed by the Owner for the actual cost of such services at payroll times a multiplier of 2.5, or cost plus ten (10) percent where sub-consultants are used.

ARTICLE 5. WORKMEN'S COMPENSATION AND LIABILITY INSURANCE

A. The Engineer agrees to purchase and maintain at his expense the following kinds and amounts of insurance:

B. A policy covering the obligation of the Engineer in accordance with the provisions of the WORKMEN'S COMPENSATION LAW of the State of Indiana.

C. Policies of Bidily Injury Liability and Property Damage Liability Insurance with limits of liability of not less than One Hundred Thousand Dollars ($100,000.00) for each damage claim arising out of bodily injury, and not less than Three Hundred Thousand Dollars ($300,000.00) for all damages arising out of bodily injury, including death at any time resulting therefrom, sustained by two or more persons in any one accident; and not less than Fifty Thousand Dollars ($50,000.00) for all damages arising out of injury or destruction of property in any accident, nor less than One Hundred Thousand Dollars ($100,000.00) for all damages arising out of injury to or destruction of property suffered by two or more persons for any one accident.

ARTICLE 6. ABANDONMENT AND TERMINATION

A. Abandonment. If the Owner shall abandon the services described herein, the Engineer shall deliver to the Owner all survey notes, drawings, specifications and Estimated completed or partially completed, and these shall become the property of the Owner. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the Engineer to the date of abandonment, as reported under Article I, and which may be mutually agreed upon by the Owner and the Engineer. The payment as made to the Engineer shall be paid as a final payment in full settlement of his services hereunder.

cc: Ken Traylor

B. Termination. This Agreement may be terminated by either party by seven (7) days written notice by mutual agreements; or in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If this Agreement is terminated, The Engineer shall be paid for the extent of services performed by him to the termination notice date.

ARTICLE 7. OWNERSHIP OF DOCUMENTS

A. All documents, including tracings of Contract Plans and Drawings, Cost Estimates, Specifications, Design Survey, Right of Way Documents, Field Notes, Information from Investigations and Studies, Computations, Written Approvals from Governmental Agencies, etc., as instruments of service, are to be the property of the Owner. During the performance of the Engineering Services, herein provided for, the Engineer shall be responsible for any loss or damage to the Documents, herein enumerated, while they are in his possession, and any such loss or damage shall be restored at his expense. Full access to the work during the preparation of the Contract Plans shall be available to the Owner and at the discretion of the Owner to other governmental agencies interested in this work.

B. Upon completion and final approval of the work by the Owner, the Engineer shall deliver to the Owner all design documents.

ARTICLE 8. NON-DISCRIMINATION

A. The Engineer shall not discriminate against any employee or applicant for employment to be employed in the performance of this Agreement, with respect to his hire, tenure, terms, conditions or privileges of employment because of his race, color, religion, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the Agreement.

ARTICLE 9. SUCCESSORS AND ASSIGNS

A. Except as otherwise herein provided, the rights and obligations created by this Agreement shall run to the benefit of and shall be binding upon the heirs, executors, administrators, assigns, and successors in interest of the parties hereto.

cc: Ken Traylor

ARTICLE 10. SPECIAL PROVISIONS

A. The Engineer hereby designates Mr. Hubert L. Longest, Jr. as project engineer for the proposed Project and shall not change project engineers without written approval from the Owner.

BEAM, LONGEST & NEFF, INC.

BY: Hubert L. Longest, Jr.
Hubert L. Longest, Jr.
President

ATTEST:

William F. Wilson
Secretary

ACCEPTANCE OF PROPOSAL

BOARD OF PUBLIC WORKS

J. D. Boswell
Dr. Jerry D. Boswell, Chairman

Ronald L. Bonar
Mr. Ronald L. Bonar, P. E.

Mr. William G. Williams

Ivan A. Lebamoff
Mayor Ivan A. Lebamoff

JUN 28 1973

APPROVED as to form and legality

John Fleck, Associate City Attorney

ATTEST:

Edna L. Smith
Edna L. Smith, Executive Secretary
Board of Public Works

:rs

cc: Ken Traylor

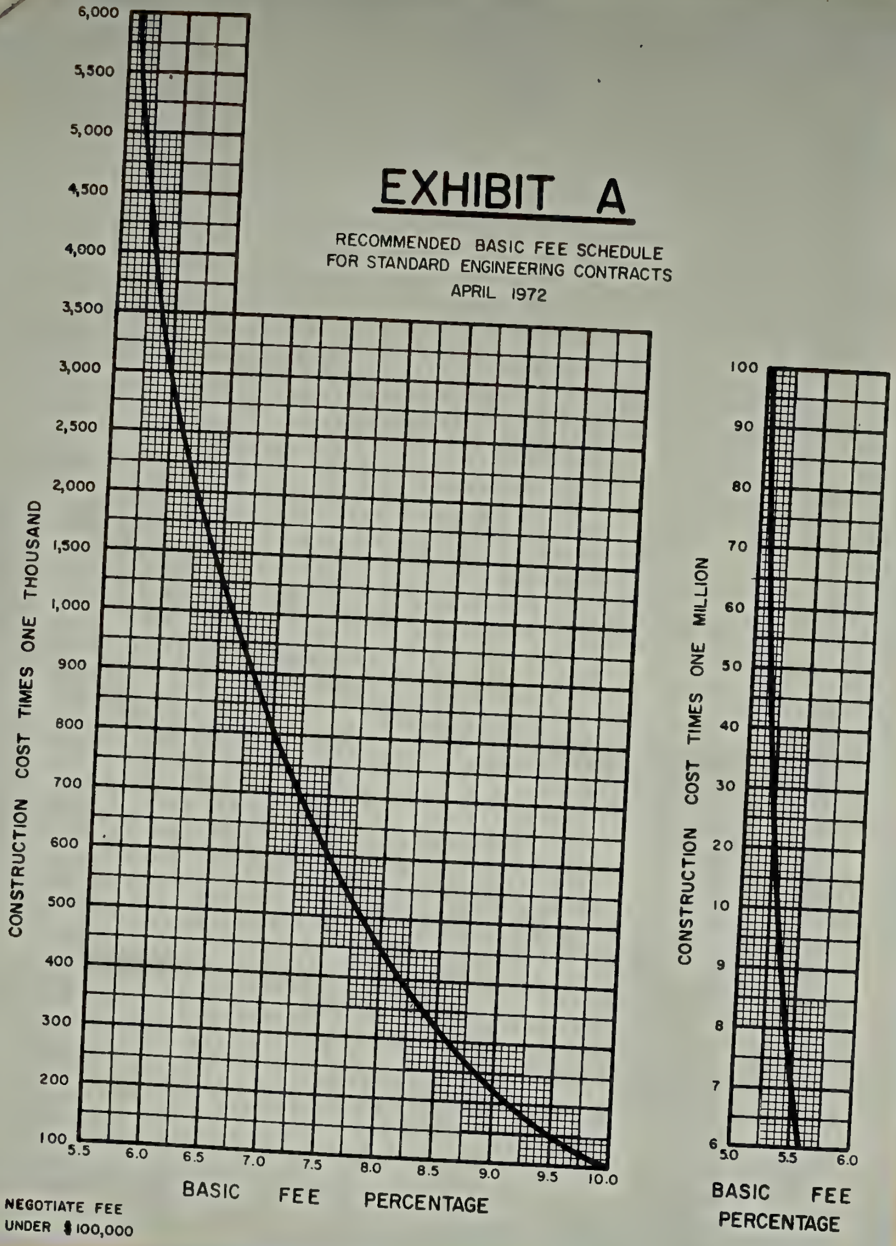

EXHIBIT A

RECOMMENDED BASIC FEE SCHEDULE
FOR STANDARD ENGINEERING CONTRACTS
APRIL 1972

NEGOTIATE FEE
UNDER $100,000

cc: Ken Traylor

Page 1 of 2

ENGINEERS ESTIMATE
U. S. 27
FORT WAYNE, INDIANA

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1.	Common Excavation	6,500	CYS	2.65	17,225.00
2.	Bituminous Base	1,088	TON	12.25	13,328.00
3.	Bituminous Material for Wedge & Leveling	851	TON	16.10	13,701.10
4.	Bituminous Surface	879	TON	14.00	12,306.00
5.	Bitumionous Material for Prime Coat	0.5	TON	87.50	43.75
6.	Bituminous Material for Tack Coat	5.0	TON	88.00	440.00
7.	Cement Concrete Base Plain 8"	8,167	SYS	11.75	95,962.25
8.	Cement Concrete Pavement for Comm. Drive (6")	756	SYS	10.30	7,786.80
9.	Concrete Sidewalk (4")	2,334	SYS	8.74	20,399.16
10.	Curb, Special Integral with Dowel Bars (9")	2,300	LFT	7.50	17,250.00
11.	Curb, Integral (Special 9")	3,900	LFT	6.00	23,400.00
12.	Center Curb, Bituminous Special	250	SYS	23.50	5,875.00
13.	Pipe, Group"A", 12"	538	LFT	6.00	3,228.00
14.	Pipe, Group "A", 15"	450	LFT	7.75	3,487.50
15.	Pipe, Group "L", 18"	500	LFT	10.50	5,250.00
16.	Pipe, Group "L", 24"	600	LFT	14.25	8,550.00
17.	Inlet, Type J-10	9	EA.	475.00	4,275.00
18.	Catch Basin, Type K-10	16	EA.	650.00	10,400.00
19.	Manhole, Type C-4	7	EA.	750.00	5,250.00

ENGINEERS ESTIMATE
U. S. 27
FORT WAYNE, INDIANA

ITEM - DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
20. Reconstruct Manhole	10	LFT	65.00	650.00
21. Casting Adjusted to Grade	7	EA.	86.50	605.50
22. Sodding	4,400	SYS	1.25	5,500.00
23. Handhole for Sidewalk	6	EA.	255.00	1,530.00
24. Steel Pipe Conduit 2"	300	LFT	3.85	1,155.00
25. Standard Barricades Type III	6	EA.	350.00	2,100.00
26. Painted Line (4")	6,000	LFT	0.32	1,920.00
27. Construction Sign, Type "A"	20	EA.	165.00	3,300.00
28. Maintaining Traffic	L.S.	L.S.	7,000.00	7,000.00
29. Field Office	12	MO.	250.00	3,000.00
30. Lighting & Signalization	L.S.	L.S.	44,700.00	44,700.00
31. Signing	L.S.	L.S.	750.00	750 00
32. Construction Engineering	L.S.	L.S.	15,000.00	15,000.00
33. Mobilization	L.S.	L.S.	12,700.00	12,700 00
TOTAL PROJECT			$	368,068.06

THE CITY OF FORT WAYNE
board of public works

June 13, 1974

Turnbell-Green and Associates, Inc.
519 Tennessee Avenue
Fort Wayne, Indiana 46805

SUBJECT: Improvements to Railroad Street Grade
Crossings & Signal Protection

Gentlemen:

The Board has reviewed your letter of June 10, 1974, requesting that the maximum fee in our agreement be increased from $16,000 to $20,000. This request is based upon increasing the number of crossings for design from 6 to 8.

The Board concurs with your request and hereby authorizes said increase.

Sincerely,

BOARD OF PUBLIC WORKS

Ronald L. Bower

:rs

cc: Ken Traylor

Edna-

ATER CONTRACTS
ND AGREEMENTS

TURNBELL-
GREEN AND
ASSOCIATES, INC.

ENGINEERS AND SURVEYORS

(219) 422 4630

URNBELL, PRESIDENT
al Engineer: Indiana-Illinois-Ohio
Engineer: Illinois
yor Indiana

REEN
al Engineer: Indiana
yor Indiana

519 TENNESSEE AVENUE
FORT WAYNE, INDIANA 46805

Ron

NOTED
☐ J.D.S.
☑ R.L.B.
☐ W.G.W.
Date

June 10, 1974

BOARD OF PUBLIC WORKS
RECEIVED
JUN 12 1974

Board of Public Works
The City of Fort Wayne
City-County Building
Fort Wayne, IN 46802

Subject: Improvements to Railroad-Street Grade Crossings & Signal Protection

Gentlemen:

Reference is made to your letter of May 29, 1974, requesting that this firm now proceed with Phase II of the Agreement for Engineering Services between this firm and the City dated June 14, 1973.

We have now started work on Phase II and plan to progress this work to a rapid conclusion.

However, we believe we should point out that since eight (8) crossings are now included instead of six (6) as named in the agreement, our work will necessarily be increased for surveys; drawings; consultations with railroads, utilities and others; and design work. The eight per cent (8%) fee named on page 7 of the agreement is limited to a maximum of $16,000 for Phases II, III, and IV based on an estimated construction cost of $200,000 for the work covered by drawings and/or specifications prepared by the Engineer for the six (6) crossings listed in the agreement.

In view of the increased engineering and surveying work required for eight (8) crossings in lieu of six (6), and in view of the increased construction cost, we think it is appropriate, and so request, that the eight per cent (8%) fee be changed to a maximum of $20,000 based on a construction cost of $250,000, with all other terms of the agreement, except as modified in your letter of May 29, 1974, remaining unchanged.

May we look forward to your affirmative reply.

Very truly yours,

TURNBELL-GREEN & ASSOCIATES, INC.

Robert C. Turnbell

Robert C. Turnbell

RCT/nn

73 15329

57-2[illegible]
6/21/73

A G R E E M E N T

* * * * * * * * * * *

THIS AGREEMENT, made and entered this 21st day of June, 1973, between City of Fort Wayne, Indiana, an Indiana Municipal corporation, hereinafter referred to as "City," and Holy Trinity Greek Orthodox Church of Fort Wayne, Inc., an Indiana corporation, hereinafter referred to as "Church;"

W I T N E S S E T H :

WHEREAS, the Church is the owner of the following described real estate in Allen County, Indiana, to-wit:

> The North 84 feet of the South 1017.8 feet of the East ½ of the S.E. ¼ Section 24 Township 30 North Range 12 East except the West 276 feet of the East 626 feet thereof; and
>
> The East 325 feet of the North 84 feet of the South 933.8 feet of the East ½ of the S.E. ¼ of Section 24 Township 30 North Range 12 East,

1973 JUN 25 AM 10 04

AL[illegible] RECORDER

as shown in the plat records in the office of the Recorder of said Allen County, Indiana; and,

WHEREAS, there is an existing 14-foot sewer easement established and shown on said plat through said property, located on South Anthony Boulevard; and,

WHEREAS, the City is the owner of a 10-inch sanitary sewer now lacated in said easement, and is being used for the servicing of the area; and,

WHEREAS, the Church is desirous of erecting a building on parts of the above-described real estate, and over a portion of the existing easement as shown on a sketch attached hereto and made a part hereof, and marked Exhibit A; and,

Call —
Water Pollution Control Bur
7061

13.50

WHEREAS, the ground floor and foundation of said building will be of concrete construction; and,

WHEREAS, the Church has requested of City a permit for the construction of such building on said real estate and over said 14-foot easement as generally located on said attached sketch, and City has signified its willingness to issue such permit upon the condition that the issuance thereof and construction of such building shall not in any manner impair the continued use of said sewer line by City, or restrict the right of City to enter the premises, land and building, for the purpose of effecting needed repair or maintenance of said sewer line, and that the Church authorize such entry and grant unto City the right to move such merchandise and material and to remove such portions of the flooring and foundations of said building as necessary for such purposes, and that Church indemnify City against loss for expenses necessarily incurred for such moving of merchandise and materials and the removal of such flooring and foundations for such purposes, and that all such covenants shall be binding upon the successors of Church in ownership of said real estate.

NOW, THIS INDENTURE WITNESSETH that for and in considera-tion of the premises and the mutual covenants and agreements herein-after set forth, the parties hereto hereby covenant and agree as follows:

1. City will forthwith, following the signing hereof by the parties hereto, and payment of the established fee, withdraw its objections to the issuance of the permit as provided by law and ordinance authorizing construction of the within denoted building, on the above-described property, located in the City of Fort Wayne, County of Allen, State of Indiana, and as generally located on the attached sketch, by Church.

2. That the issuance of such permit and the construction of such building on said real estate and over and through the said 14-foot easement shall not in any manner impair the continued use of the within described sewer line by City, nor restrict the right of City to enter the said premises, land and building for the purpose of effecting needed repair or maintenance of said sewer line.

3. That the Church agrees and does hereby covey to the City two 14-foot easements adjacent and parallel to each side of the building from the existing easement to the street for the maintenance and repair of said sewer over that identical portion of said 14-foot sewer easement.

4. Church, for itself and its successors and assigns in ownership of said real estate, does hereby authorize entry of said premises, land and building by City, and does grant unto City the right to move such merchandise and material, and to remove such portions of the flooring and foundations of said building as necessary, from time to time, for the repair and maintenance of said sewer line and agrees that such moving and removal and restoration shall be at the expense of Church, or in the event of a prior sale and conveyance of said premises by Church, by the then holder of the legal title to said real estate, as shown by the public records of Allen County, Indiana.

5. This agreement shall be construed as covenants running with the land herein described and be binding upon the successors and assigns of the respective parties hereto. Church certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

IN WITNESS WHEREOF, the parties have subscribed to this agreement the day and year first-above written.

BOARD OF PUBLIC WORKS OF CITY OF FORT WAYNE

By: J D Boswell

By: Ronald L Bonar

By: ______________________

HOLY TRINITY GREEK ORTHODOX CHURCH
OF FORT WAYNE, INC.

ATTEST:

By: ______________________
President, Board of Trustees

Arthur G. Spirou
Arthur G. Spirou, Member, Board
of Trustees

Approved as to form and legality:

____
Associate City Attorney - John R. Fleck

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, the undersigned, a Notary Public in and for Allen County, Indiana, personally appeared the within named Board of Public Works for the City of Fort Wayne, B Jerry D. Boswell, Ronald L Bonar, and acknowledged the execution of the foregoing agreement for and on behalf of said Board and by its authority. WITNESS my hand and seal this 21st day of June, 1973.

My Commission Expires:
March 6, 1976

Anne J. Fox
Notary Public

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, the undersigned, a Notary Public in and for Allen County, Indiana, personally appeared George P. Mallers and Arthur G. Spirou, President and Member, respectively, of Holy Trinity Greek Orthodox Church of Fort Wayne, Inc. Board of Trustees, and acknowledged the execution of the foregoing agreement for and on behalf of said Board and by its authority. WITNESS my hand and seal this 21st day of June, 1973.

Zorana Yvonne Johnson
Zorana Yvonne Johnson, Notary Public

My Commission Expires:

September 23, 1973

This instrument prepared by George P. Mallers, Attorney at Law.

59-286-40

AGREEMENT

June 21, 1973

bet. City and

Holy Trinity Greek
Orthodox Church of
Fort Wayne, Indiana

59-286-31
[illegible]

PROPOSAL FOR ENGINEERING SERVICES

For

STUDY AND REPORT

On

IMPROVEMENTS TO RAILROAD-STREET GRADE CROSSINGS AND SIGNAL PROTECTION

And For

DETAIL DRAWINGS AND SPECIFICATIONS

For

IMPROVEMENTS TO RAILROAD-STREET GRADE CROSSINGS

At

EAST FOURTH ST. BETWEEN CLINTON AND CALHOUN - PENN CENTRAL (Former NYC)
WEST MAIN ST. AT GROWTH AVE. - PENN CENTRAL (Former NYC)
WEST JEFFERSON ST. AT SWINNEY PARK - PENN CENTRAL (Former GR&I and NYC)
TAYLOR ST. EAST OF McKINLEY - NORFOLK & WESTERN (Former NKP and LE&FtW)
BROOKLYN AVE. SOUTH OF COVINGTON - NORFOLK & WESTERN (Former Wabash)
LOWER HUNTINGTON RD. WEST OF BRADBURY - NORFOLK & WESTERN (Baer Field Line)

Submitted to the

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

By

TURNBELL-GREEN AND ASSOCIATES, INC.
519 TENNESSEE AVENUE
FORT WAYNE, INDIANA 46805

PROPOSAL

THIS PROPOSAL made this 14th day of June, 1973 to the City of Fort Wayne, acting by and through its Board of Public Works of the City of Fort Wayne, Indiana, hereinafter called the OWNER, by Turnbell-Green and Associates, Inc., hereinafter called the ENGINEER, WITNESSETH.

That whereas the Owner intends to develop a Study and Report on the General Improvement of Railroad-Street Grade crossings and Grade Crossing Protection in the City of Fort Wayne, Indiana; and intends to construct improvements to railroad-street grade crossings in the city of Fort Wayne, Indiana, as follows:

East Fourth Street Between Clinton and Calhoun - Penn Central (Former NYC)
West Main Street at Growth Avenue - Penn Central (Former NYC)
West Jefferson Street at Swinney Park - Penn Central (Former GR&I and NYC)
Taylor Street East of McKinley - Norfolk & Western (Former NKP and LE&FtW)
Brooklyn Avenue South of Covington - Norfolk & Western (Former Wabash)
Lower Huntington Road West of Bradbury - Norfolk & Western (Baer Field Line)

all hereinafter called the PROJECT.

NOW THEREFORE, The Owner and Engineer for the considerations hereinafter set forth, agree as follows:

A. PHASE I - THE STUDY AND REPORT

1. The Engineer agrees to observe and review the present and/or future expected general condition, adequacy and effectiveness of existing crossings and crossing protection, based on the construction peculiarities and capabilities of these existing facilities and on the present and/or future expected characteristics of rail and vehicular movement. The applicability of up-to-date electronically controlled automatic crossing protection will be examined to determine if these modern control techniques will be advantageous in producing improved vehicular traffic flow by minimizing undesirably long periods of crossing protection operation caused by slowly approaching trains, locomotives switching off-crossing, or by locomotives, cars or trains standing stationary off-crossing. The need and advisability of installing flashing light units with or without gates and/or bells at crossing or tributary streets not now so protected will be examined.

2. In situations where traffic control signals are located at street intersections in the near vicinity of protected rail-street grade crossings, the feasibility of adopting preemptive control of the traffic signals by the crossing protection control will be examined to determine if improved vehicular traffic movement and safety will be produced. The feasibility and advisability of adopting manually controlled crossing protection, key-operated by a train crew member for certain switching tracks, will be examined. The need and advisability for improved or altered street lighting or flood lighting at certain rail-street grade intersections will be explored.

3. Concurrently, the actual crossing and approaches will be examined to determine the rehabilitation or reconstruction needed to enhance the flow, safety and comfort of vehicular traffic. These examinations will consider the railroads' requirements as well as the city's requirements to produce safe, economical, long-lasting, satisfactory crossings. Various crossing types will be considered, including the determination of which type may be most suitable for each particular crossing, depending on the frequency, volume, weight and speed of vehicular and rail traffic.

4. Examination of the data and information assembled may indicate that at certain locations a fully satisfactory improvement would require a grade separation. In such instances, the study would consider crossing improvement and crossing protection improvement deemed to be suitable pending construction of such grade separations; but the grade separations themselves would necessarily be a subject of a separate study.

5. Similarly, examination of the data and information assembled may indicate that certain grade crossings might be eliminated entirely by the removal of abandoned tracks, if any. The study would include appropriate comment in this regard.

6. During this study, liaison and consultation will be maintained with railroad and city and state public authorities, including the Public Service Commission of Indiana, which has jurisdiction over certain aspects of crossing protection. Close liaison will be maintained with the city traffic engineering department, which will supply traffic and accident record information.

7. The report will be prepared in booklet form, and will contain a discussion of the procedures followed in the foregoing paragraphs. Comments and suggestions received from railroad and public authorities will be stated and discussed. Each crossing, or logical group of crossings, as the case may be, will be discussed separately, treating the crossing protection improvement, and also the actual grade crossing improvement, both with recommendations for consideration by the city. Appropriate separate estimates of cost for each intersection for the crossing protection imrpovement and the grade crossing improvement will be included, along with drawings showing the location of the crossing, the type of crossing construction recommended, and the type and nature of

improved crossing protection recommended. Analysis, discussion, and development of cost-benefit ratios for the crossings will be included.

8. The report booklet will be bound in an unostentatious cover and will be written and presented in a manner readily understandable by engineer and layman alike. It is anticipated that there will be included in the report, a street map of the city of Fort Wayne with railroads and principal traffic routes designated thereon, and with each grade crossing or logical combination of crossings identified in a manner keying it to the pertinent discussion in the text and to the site plan drawing and typical section for the particular respective crossing or crossings. Fifty (50) copies of this report will be furnished.

B. PHASE II - PRELIMINARY ENGINEERING DESIGN AND RIGHT OF WAY PLANS FOR SIX (6) GRADE CROSSINGS NAMED ON PAGE 1.

After receiving from the Owner, written notice to proceed with the Preliminary Engineering Design, the Engineer agrees to:

1. Make the Design Survey, including all required survey data necessary for the preparation of Contract Plans, the Engineer may obtain survey data by photogrammetric methods. Such Design Survey shall be in accordance with the accepted standards of practice as used by the Indiana State Highway Commission. As part of survey, Engineer shall establish survey base line and/or center line of street, and reference points at street and railroad-street intersections and bench marks.

2. Prepare the Preliminary Plans, Itemized Preliminary Construction Cost Estimates in Sufficient detail and accuracy as required to prepare final Contract Plans and Specifications. Such Preliminary Plans and Cost Estimates shall be in accordance with accepted standards of practice as used by the Indiana State Highway Commission. Cost estimates shall cover work to be done by city on force account or construction contract basis, by railroads on force account or contract basis, and by other utilities on force account or contract basis. Plans to include roadway and sidewalk design, crossing design, street and railroad track profiles where required, necessary drainage improvement, necessary changes in underground and/or aerial utility facilities and/or safety warning signs.

3. Where additional Right of Way is required, either permanent or temporary, it will be indicated on the plan sheets. Should Plats and Instruments required for acquisition of Right of Way be needed, they will be furnished under Article 4B, in accordance with "Right of Way Engineering Procedures Manual", dated 1972, by the Indiana State Highway Commission.

4. Engineer shall locate and identify all utilities (underground and aerial) accurately and, if necessary, request excavation to determine exact horizontal and vertical locations. Owner shall provide or cause to be provided labor and materials for required excavations, and Engineer shall provide survey crew to measure locations.

5. Environmental Statement - The Engineer shall furnish the Owner with data but the Engineer shall not prepare the statement under this Contract.

C. PHASE III - FINAL ENGINEERING DESIGN Upon approval of the Preliminary Engineering Design by the Owner and after receiving from the Owner written notice to proceed with Final Engineering Design, the Engineer agrees to:

1. Prepare Final Contract Plans and Specification for the following as may be required including Special Provision, Proposal Forms, Notice to Bidders, and Itemized Final Estimates of cost of construction, in accordance with accepted standards of practice as used by the Indiana State Highway Commission, and prepare other plans and specification that may be required to describe necessary railroad and utility work, to be performed on a contract or force account basis.

A. Roadway construction
B. Crossing construction
C. Track construction and/or alteration
D. Show street right of way line and adjacent property owners with street address. Owner to furnish property ownership list to Engineer.

2. Furnish Reproduction - The Engineer shall furnish the Owner with one set of reproducible sepias or mylars of the final approved Contract Plans and Cross Sections, and four (4) sets or reproductions of the final approved Contract Specification. The Final Estimate of Cost shall be presented to the Owner in its original prescribed form for safekeeping, and no other distribution of said Estimate of Construction Cost shall be made.

3. The Engineer will furnish all necessary plans, specifications and exhibits of an engineering nature for submittal to governmental agencies, railroads and utilities for approval where required. Such approvals not forthcoming within 10 calendar days after the initial submittal of the Engineering Design by the Engineer, shall constitute documented delays in the completion timetable contained in ARTICLE 2.

4. Design Reports-The Engineer shall submit to the Owner monthly Preliminary and Final Engineering Design Status Reports showing progress and percent complete.

D. PHASE IV - CONSTRUCTION PHASE After the Contractor has received written notice to proceed, the Engineer shall proceed with the general engineering inspection of the construction and shall:

1. Provide general engineering administration of the construction contract including, at the Owner's request, the giving of technical engineering information to legal counsel as an aid to the interpretation and clarification of the Contract Documents.

2. Check and approve Contractor's requests for payment, samples, catalogue data, schedules, shop drawings, laboratory, shop and mill tests of equipment and other data which the Contractor is required to submit, only for conformance with the design concept of the Project and compliance with the information given by the Contract Documents; and shall collect all guarantees required of Contractors.

3. Engineer shall provide Owner with one (1) set of reproducible "As Built" drawings following completion of construction reflecting actual conditions as found and constructed. Owner will provide Engineer with necessary information in the event the Engineer does not perform Phases V and VI.

E. PHASE V - RESIDENT ENGINEER AND INSPECTORS Upon written request by the Owner, the Engineer shall provide a qualified resident engineer and necessary inspector(s) during active installation and construction of the Project to perform project engineering and inspection services required by City, State and Federal Highway officials. This service shall be comprehensive to include all reports, approval of contractor's materials, testing, approval of contractor's invoices, monthly progress reports, etc., which will be necessary for full completion and acceptance of the Project by the City, State and Federal Highway representatives.

F. PHASE VI - CONSTRUCTION ENGINEERING If requested by the Owner in writing, the Engineer agrees to:

1. Furnish all materials and labor to set layout and grade stakes for the construction of this Project.

    a. One (1) week notice will be required in advance of staking needed.

    b. Stakes will be set only one (1) time. Should the Contractor, railroad, or utility disturb or destroy stakes, reimbursement for replacing shall be required on an actual payroll cost times a multiplier of 2.5.

2. The Engineer will not furnish a full-time crew under this Contract unless the Owner requests and negotiates additional compensation to cover full-time residents.

G. ATTEND CONFERENCES For all phases authorized by the Owner, the Engineer shall attend such conferences, record and distribute minutes, with the officials of the Owner and other interested agencies and governmental units as may be required in connection with the work. Compensation for this service shall be included in the fee for the respective phase.

ARTICLE 2. COMPLETION SCHEDULE After receiving from the Owner written notice to proceed, the Study and Report (Phase I), the Preliminary Plans and Right of Way Plans (Phase II) and Final Contract Plans (Phase III) shall be completed by the Engineer and submitted to the Owner for its approval in accordance with the following schedule:

Study and Report (Phase I) completed within Sixty (60) Calendar Days after written authorization to proceed with Study and Report.

Preliminary Plans (Phase II) completed within Sixty (60) Calendar Days after written authorization to proceed with Preliminary Engineering Design

Right of Way Plans (Phase II) submitted within Fifteen (15) Calendar Days after written approval of Preliminary Engineering Design.

Final Contract Plans (Phase III) completed within Sixty (60) Calendar Days after written authorization to proceed with Final Engineering Design and approval of Governmental Agencies, railroads and public utilities.

The above timetable shall be subject to documented delays due to required approval by Governmental Agencies, railroads and/or public utilities.

For each calendar day the Engineer fails to complete his work in accordance with the Completion Schedule, a penalty of $100.00 per calendar day shall be deducted from his compensation.

ARTICLE 3. INFORMATION AND SERVICES TO BE FURNISHED OR CAUSED TO BE FURNISHED BY OWNER

The Owner shall furnish the following:

A. Criteria for design and detail such as project limits, pavement and median widths, grades, curves, sight distances, clearances, design loadings, etc.

B. Any necessary soil borings or assist in subsurface investigations that may be required for the engineering design.

C. Reproducible Roadway and/or Bridge Standards required for construction of the Project, including the Owner's Standard Title Sheet and Construction Identification Sign to be incorporated into the Contract Plans.

D. Guaranty of Title, requirements for Land Plat preparation, the Owner's Standard Instrument necessary for Right of Way acquisition upon which Legal Description is to be placed.

E. Prepare or caused to be prepared all advertisements for bids and cause same to be properly advertised.

F. Furnish the necessary reproductions of the Contract Plans and Contract Documents necessary for construction of the Project for distribution to the Contractors, Sub-Contractors, Utilities, and Suppliers prior to the date for receipt of construction bids.

G. Prepare and submit the Environmental Statement and Design Study Report from data furnished by the Engineer.

H. Street lighting design indicating pole spacing, size and type of luminaire, wiring, etc.

I. 100 foot scale aerial photos of crossings and vicinity of each.

J. Agreements between Owner and railroads, public utilities and others, covering construction procedures and allocation of proportions of costs.

K. Number, location and species of all new tree plantings in right of way.

L. Traffic and accident records pertinent to the PROJECT.

ARTICLE 4. THE ENGINEER'S COMPENSATION FOR SERVICES

A. The Owner, for and in consideration of the Engineer's Basic Service, agrees to pay to the Engineer:

> For Phase I, Study and Report, herein described, a fee of $9,500.00. For Phases II, III, and IV, herein described, a fee of Eight Per Cent (8 %) of the construction cost, but the total fee for design shall not exceed $16,000.00. Construction cost is defined as the total cost of PROJECT work covered by drawings and/or specifications prepared by the Engineer, and includes cost of contracts awarded by the city, the railroads, and other utilities; and the estimated cost of force account work to be performed by the city, the railroads, and other utilities. The construction cost as herein defined includes the total costs herein named, whether borne by city, railroads, utilities or others.

Fees shall be paid in the following manner;

Phase I - Study and Report

1. Upon the Engineer's completion of the Study $4,000.00.
2. Upon the Engineer's completion and delivery of the Report $5,500.00.

Phase II - Preliminary Engineering Design & Right of Way Plans
1. Upon the Engineer's completion of the Design Survey, One and one-half Percent (1½%) of the construction cost, based upon the Engineer's Preliminary Estimate.

2. Upon the completion of other items in Phase II and the Engineer's submission of Preliminary Plans and Preliminary Right of Way Plans to the Owner and other interested governmental agencies One Percent (1.0%) of the construction cost, based upon the Engineer's Preliminary Estimate.

3. Upon the approval of Preliminary Plans and Preliminary Right of Way Plans by the Owner and other interested Governmental Agencies, One-half Percent (½%) of the Engineer's Preliminary Estimate.

Phase III - Final Engineering Design
1. Upon the completion of this phase and the Engineer's submission and approval of Final Plans to the Owner and other interested Governmental Agencies, Three Percent (3.0%) of the construction cost based upon the Engineer's Final Estimate.

2. Upon receipt of an acceptable bid Seven Percent (7.0%) of the construction cost, based on Actual Bid Price, less previous payments.

Phase IV - Construction Phase
For services during the Construction Phase provided in Phase IV hereof, the Engineer shall receive compensation of One Percent (1.0%) of the construction cost, payable monthly in proportion to the Monthly Progress Estimates, providing a total basic percentage fee for Phase II, III, and IV in the amount of Eight Percent (8.0%) of the cost of construction.

B. Optional Basic Services
Phase V - Resident Engineer and Inspectors
For the Resident Engineer and Inspectors services provided for in Phase V hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.50, but not to exceed a total fee of $13,500.00.

Phase VI - Construction Engineering
For the Construction Engineering provided for in Phase VI hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.50, but not to exceed a total fee of $3,000.00.

The above fees shall be net, payable monthly, within 30 days after submission of a claim to the Owner.

C. Right of Way Documents
The Owner, for and in consideration of the renderings of Engineering Services for the preparation of Legal Descriptions and Land Plats if requested in writing by the Owner, agrees to pay to the Engineer as follows:

1. For each description requiring a Plat, a fee of One-hundred fifty dollars ($150.00) per description.

2. For each description which does not require a Land Plat, a fee of Fifty dollars ($50.00) per description.

D. Change in Scope
In the event there is a major change in scope and character of the work after survey or plan work has progressed as directed by the Owner, adjustments in the fee payable to the Engineer as outlined in Article 4A and in the completion schedule as outlined in Article 2 shall be determined through arbitration between the parties to the Agreement.

E. Engineer's Maximum Compensation
The Engineer's Estimated Construction Cost and maximum amount from which the Engineer's Compensation shall be computed for Phases II, III, and IV is Two-hundred thousand dollars ($200,000.00).

F. Additional Services
In the event that the Engineer is directed by the Owner to cause to be made borings and detailed estimates of right of way cost, or other additional services not covered in Phases II through VI, the Engineer shall be reimbursed by the Owner for the actual cost of such services at payroll times a multiplier of 2.50.

ARTICLE 5. WORKMEN'S COMPENSATION AND LIABILITY INSURANCE

A. The Engineer agrees to purchase and maintain at his expense the following kinds and amounts of insurance:

B. A policy covering the obligation of the Engineer in accordance with the provisions of the WORKMEN'S COMPENSATION LAW of the State of Indiana.

C. Policies of Bodily Injury Liability and Property Damage Liability Insurance with limits of liability of not less than One Hundred Thousand Dollars ($100,000.00) for each damage claim arising out of bodily injury, and not less than Three Hundred Thousand Dollars ($300,000.00) for all damages arising out of bodily injury, including death at any time resulting therefrom, sustained by two or more persons in any one accident; and not less than Fifty Thousand Dollars ($50,000.00) for all damages arising out of injury or destruction of property in any accident, not less than One Hundred Thousand Dollars ($100,000.00) for all damages arising out of injury to our destruction of property suffered by two or more persons for any one accident.

ARTICLE 6. ABANDONMENT AND TERMINATION

A. Abandonment. If the Owner shall abandon the services described herein, the Engineer shall deliver to the Owner all survey notes, drawings, specifications and estimates completed or partially completed, and these shall become the property of the Owner. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the Engineer to the date of abandonment, as reported under Article 1, and which may be mutually agreed upon by the Owner and the Engineer. The Payment as made to the Engineer shall be paid as a final payment in full settlement of his services hereunder.

B. Termination. This Agreement may be terminated by either party by seven (7) days written notice by mutual agreements; or in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If this Agreement is terminated, the Engineer shall be paid for the extent of services performed by him to the termination notice date.

ARTICLE 7. OWNERSHIP OF DOCUMENTS

A. All documents, including tracings of Contract Plans and Drawings, Cost Estimates, Specifications, Design Survey, Right of Way Documents, Field Notes, Information from Investigations and Studies, Computations, Written Approvals from Governmental Agencies, etc., as instruments of service, are to be the property of the Owner. During the performance of the Engineering Services herein provided for the Engineer shall be responsible for any loss or damage to the Documents, herein enumerated, while they are in his possession, and any such loss or damage shall be restored at his expense. Full access to the work during the preparation of the Contract Plans shall be available to the Owner and at the discretion of the Owner to other governmental agencies interested in this work.

B. Upon completion and final approval of the work by the Owner, the Engineer shall deliver to the Owner all design documents.

ARTICLE 8. NON-DISCRIMINATION

A. The Engineer shall not discriminate against any employee or applicant for employment to be employed in the performance of this Agreement, with respect to his hire, tenure, terms, conditions or privileges of employment because of his race, color religion, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the Agreement.

ARTICLE 9. SUCCESSORS AND ASSIGNS

A. Except as otherwise herein provided, the rights and obligations created by this Agreement shall run to the benefit of and shall be binding upon the heirs, executors, administrators, assigns, and successors in interest of the parties hereto.

ARTICLE 10. SPECIAL PROVISIONS

A. The Engineer hereby designates Robert C. Turnbell as Project Engineer for the proposed Project and shall not change Project Engineers without written approval from the Owner.

TURNBELL-GREEN & ASSOCIATES, INC.

BY: Robert C. Turnbell

ATTEST:

Edward J. Green
Secretary

ACCEPTANCE OF PROPOSAL

BOARD OF PUBLIC WORKS
FORT WAYNE, INDIANA

Jerry D. Boswell
Dr. Jerry D. Boswell, Chairman

Ronald L. Bonar
Mr. Ronald L. Bonar, P.E.

William G. Williams
Mr. William G. Williams

Ivan A. Lebamoff
Mayor Ivan A. Lebamoff

JUN 21 1973

APPROVED as to form and legality

City Attorney

ATTEST:

Edna I. Smith
Edna I. Smith, Executive Secretary
Board of Public Works

June 19, 1973

Turnbell-Green and Associates, Inc.
Engineers and Surveyors
519 Tennessee Avenue
Fort Wayne, Indiana 46805
Attention: Mr. Robert C. Turnbell

Dear Mr. Turnbell:

Enclosed is executed copy of Railroad-Street Grade Crossing Agreement.

Please consider this as your authorization to proceed with Phase I.

BOARD OF PUBLIC WORKS

Executive Secretary

Enc. 1

cc: Ken Traylor, Street Engineer

(219) 422 4630

GREEN AND
ASSOCIATES, INC.

ENGINEERS AND SURVEYORS

ROBERT C TURNBULL PRESIDENT
Professional Engineer Indiana - Illinois - Ohio
Structural Engineer Illinois
Land Surveyor Indiana

EDWARD GREEN VICE PRESIDENT and SECRETARY
Professional Engineer Indiana
Land Surveyor Indiana

519 TENNESSEE AVENUE
FORT WAYNE, INDIANA 46805

June 14, 1973

Proposal for Professional Engineering Services

Mr. Kenneth N. Traylor
Street Engineer
City of Fort Wayne
City-County Building
Fort Wayne, Indiana

Dear Mr. Traylor:

In accordance with our discussions with you, we are pleased to submit a proposal for furnishing professional engineering services in connection with the development and preparation of a study and report for railroad-street grade crossing and signal protection improvement and for detail drawings and specifications for improvements to railroad-street grade crossings at the following six locations:

East Fourth St. Between Clinton and Calhoun - Penn Central (Former NYC)
West Main St. at Growth Avenue - Penn Central (Former NYC)
West Jefferson St. At Swinney Park - Penn Central (Former GR&I and NYC)
Taylor St. East of McKinley - Norfolk & Western (Former NKP and LE&FtW)
Brooklyn Ave. South of Covington - Norfolk & Western (Former Wabash)
Lower Huntington Rd. West of Bradbury - Norfolk & Western (Baer Field Line)

in the city of Fort Wayne.

The study and report and the drawings and specifications for crossing improvement, will be made by engineering personnel experienced in railroad crossing planning, design, construction and maintenance of grade crossings and signal protection, including modern electronic techniques. These engineers are experienced and familiar with working with public administrative, legislative and regulatory authorities and commissions, and with the recommended practice of the American Railway Engineering Association; the Communications and Signal Section, Association of American Railroads; and the National Advisory Committee on Uniform Traffic Control Devices for Street and Highways, Federal Highway Administration.

It will be noted that only the Study and Report portion of the proposal includes reference to improvement in the signal protection of grade crossings. The detail drawings and specifications for this aspect of the work normally require that the design and detailing of such protection systems and the specifying of appropriate materials be undertaken by the affected railroads, as any system adopted for installation or improvement must be infallibly compatible with all existing railroad signal and interlocking circuits and controls. However, our services would be available, upon the conclusion of a suitable agreement, to represent the city in an administrative and advisory capacity for the technical aspects of such a grade-crossing signal protection design and construction program that may be implemented subsequent to the city's receipt, review and evaluation of the Study and Report.

We are pleased to have the opportunity to submit this attached proposal and look forward to your early favorable reply.

Very truly yours,

TURNBELL-GREEN & ASSOCIATES, INC.

Robert C. Turnbell

RCT/nn

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5637 1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Fisher Street

from the east property line of Reed Street

to the west property line of Winter Street

By draining, curbing, grading and paving the roadway to a uniform width of twenty-seven including curbs (27) feet ~~with Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation,~~ Six (6) inch Plain Concrete ~~or with 8" Macadam, 2" Binder and 1" Asphalt Top~~

or with 8" Deep Strength Asphalt

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

~~The total cost of said improvement, excepting the cost of street and alley intersections,~~ A maximum cost of $12.00 per front foot shall be assessed upon the real estate abutting on said Fisher Street as above described and on property within 150 feet of the line of the street to be improved, and the balance of the total cost upon the City of Fort Wayne, Indiana, ~~to the extent of the street and alley intersections.~~ All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five (5)~~ six (6) per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 21st *day of* June, 1973

BOARD OF PUBLIC WORKS: Ronald L Bonar
Vivian D. Williams

6 CALHOUN PRESS

H-5

IMPROVEMENT RESOLUTION

For Street Paving, Sidewalks, and Street Lighting

No. **5636** - 1973

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed necessary to improve Dalewood Drive from the west property line of Elwood Drive to the east property line of Chancellor Drive, with the following improvements.

1. Draining, curbing, grading and paving the roadway to a uniform width of twenty-seven (27) feet with a six (6) inch plain concrete utilizing straight curbings.
2. Five (5) foot wide, five (5) inch thick plain concrete walks on each side of the street.
3. Ornamental street lighting with underground wiring.

All in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum cost of $12.00 per front foot for the street, $4.50 per front foot for the sidewalks, and $1.00 per front foot for the street lighting, shall be assessed upon the real estate abutting upon said Dalewood Drive as above described and where applicable within the prevailing State Statutes controlling this Board and on properties within 150 feet of the line of the street to be improved, and upon the City of Fort Wayne, Indiana. All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporation", approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of six (6) per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted this 18th day of June, 1973

BOARD OF PUBLIC WORKS

F. D. Braswell

Ronald L Bonar

____

4.I.

MEMORANDUM OF AGREEMENT

THIS AGREEMENT, entered into this 18th day of June, 1973, by and between the COUNTY OF ALLEN, INDIANA, by the BOARD OF COMMISSIONERS OF ALLEN COUNTY, INDIANA, First Party, and the CITY OF FORT WAYNE, INDIANA, by the BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, Second Party;

WHEREAS, the parties above agree to reconstruct the California Road between Hillegas Road and S.R. #33, excepting that portion to be reconstructed by the Indiana State Highway Commission.

WHEREAS, it is the desire of the parties to enter into an agreement for the division of the construction costs and acquisition expenses of said project and right-of-way to be acquired; and

WHEREAS, it is the desire of the parties to reduce the said agreement into writing;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties herein agree as follows:

1. That the preliminary engineering and construction engineering for the project to be known as the California Road Improvement, which shall be coincidentally improved within the existing City and County jurisdictional limits, shall be shared in cost in all respects, with the City of Fort Wayne and the County of Allen both participating on percentages based on the center line length as shown on the proposed plans. However, the City's share for participation shall be reduced by that work proposed and included by the Indiana State Highway Commission as part of their project.

2. That the parties hereto agree that the City of Fort Wayne and the County of Allen shall be responsible for the right-of-way needed for the improvement and extension of the California Road, which additional right-of-way may be located in their respective jurisdictional limits at the time of acquisition.

3. The cost of construction for the City of Fort Wayne and Allen County for the proposed project will be divided based on the individual items used in each jurisdictional area time the bid unit prices of the Contract.

4. It is expressly agreed between the parties that, in respect to costs predicated on jurisdictional lines, the corporate limits of the City of Fort Wayne shall be those that exist at the time of the execution of this agreement, notwithstanding any annexation proceedings which may be pending at the time of the execution of this agreement.

59-270-6

6/14/73

DECLARATORY RESOLUTION No. 1347 1973

For the Vacation [redacted] of the east 150 feet of the first alley south of Creighton Avenue lying between Hanna Street and Weisser Park Avenue.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the east 150 feet of the first alley south of Creighton Avenue lying between Hanna Street and Weisser Park Avenue.

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] is described as follows: Lots 9 and 15, Haydens Subdivision. Said subdivision is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described~~ ________ shall be subject to an easement ~~for the use of the~~ City of Fort Wayne, Indiana, and other ~~public utilities for the construction~~ and maintenance of sewers, ~~water mains~~, gas mains, electric pole lines and conduits, telephone and telegraph ~~pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter, Section 12, Township 30 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 14th DAY OF June 19 73

Attest:
Secretary Board of Public Works.

Board of Public Works.

AGREEMENTS

59-270-
6/1

DECLARATORY RESOLUTION No. 1347 1973

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~~The vacation of the above described __________ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter, Section 12, Township 30 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 14th DAY OF June 1973

Attest:
Secretary Board of Public Works.

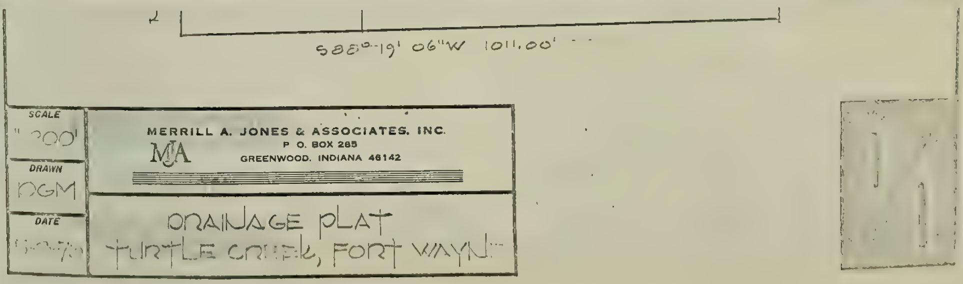
Board of Public Works.

for the installation of Storm Sewers and covering of drainage ditches on Project subject to clarification with respect to Owner's obligation to provide full and continuous maintenance of Storm Sewers which must provide adequate storm water runoff drainage for one hundred (100) acres of land off-site of the project.

NOW, THEREFORE, for and in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, and the mutual covenants herein contained to be performed by the parties, City and Owner agree as follows:

1. Owner shall install Storm Sewers in accordance with the plans and specifications heretofore approved by City and cover drainage ditches.

2. Owner shall INDEMNIFY AND SAVE HARMLESS City (and its employees, agents, boards and departments), from any loss, liability, cost or expense of any kind (including, without limiting the generality of the foregoing, any and all reasonable attorneys' fees or other costs or expenses in the defense thereof) on account of any and all claims, demands, actions or causes of action which may be asserted on account of or arising out of the installation of Storm Sewers or the covering of the drainage ditches on Project.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SCALE
" 200'
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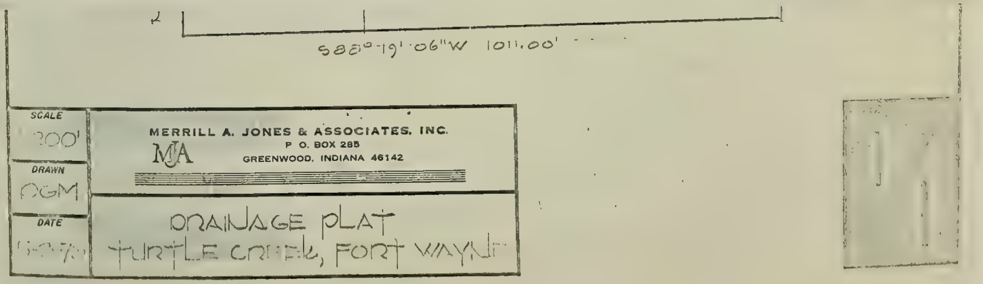
DATE
MERRILL A. JONES & ASSOCIATES, INC.
MJA
P. O. BOX 285
GREENWOOD, INDIANA 46142
DRAINAGE PLAT
TURTLE CREEK, FORT WAYNE

3. Owner shall provide for and pay all expenses in connection with either the necessary and continued maintenance or any emergency repair by City of Storm Sewers and appurtenances thereto on Project and in the event Owner fails or refuses to repair, maintain or make payment to City for emergency repair of Storm Sewers or appurtenances thereto after notice in writing by City to Owner by certified mail that Storm Sewers or appurtenances thereto require repair or maintenance or an emergency repair was required and after the lapse of a reasonable time, not to exceed thirty (30) days after the receipt of such notice, to permit Owner at its own expense to commence such repairs or maintenance, then City shall be permitted ingress and egress onto the real estate and Project to effect any repairs to Storm Sewers thereon or for the purpose of either repairing or maintaining such Storm Sewers as necessary without being a trespasser, and in such events, Owner shall be liable to City for the reasonable cost of all equipment, labor and materials necessitated in effecting repairs, whether emergency or otherwise, or providing maintenance of Storm Sewers and appurtenances thereto and in the event Owner fails to make payment to City for services rendered as aforesaid within thirty (30) days after the receipt of billing, City shall have the right to place an assessment on the real estate for the amount owed plus costs of collection, attorneys' fees and court costs.

4. In the event Storm Sewers should require replacement



because of inadequacy or failure to satisfy either Project's or the off-site's drainage requirements Owner shall at its cost effect such corrections, additions or replacements as shall be required and necessary.

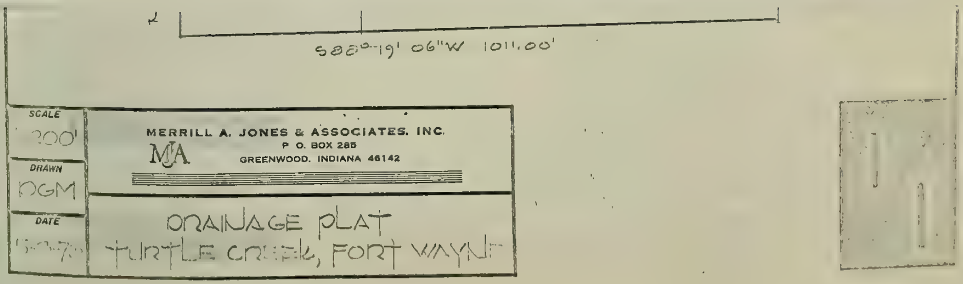
5. The terms and provisions of this Agreement shall be binding upon Owner, its successors, nominees and assigns and shall run with the real estate and any subsequent sale or transfer of the real estate shall be subject hereto. At such time as Storm Sewers constructed pursuant hereto shall cease to be used, this Agreement shall terminate and shall be of no further force and effect.

The above and foregoing Agreement and the terms thereof are accepted by the City of Fort Wayne, Indiana, by and through its Board of Works, which has taken all lawful action necessary to ratify the terms hereof.

IN WITNESS WHEREOF, the parties, and each of them, have affirmed their signatures and seals hereto this 29th day of May, 1973.

CITY OF FORT WAYNE, INDIANA
BOARD OF WORKS

By: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200'
DRAWN
DGM
DATE
5-3-7
MERRILL A. JONES & ASSOCIATES, INC.
MJA
P. O. BOX 285
GREENWOOD, INDIANA 46142
DRAINAGE PLAT
TURTLE CREEK, FORT WAYNE

BOARD OF PUBLIC WORKS

Jerry D. Boswell

JERRY D. BOSWELL

Ronald L. Bonar

RONALD BONAR

ATTEST: Edna L. Smith

CLERK

WILLIAM G. WILLIAMS

JUN 7 1973

"CITY"

TURTLE CREEK OF FORT WAYNE:

By: Franklin L. Jackson

Franklin L. Jackson
General Partner

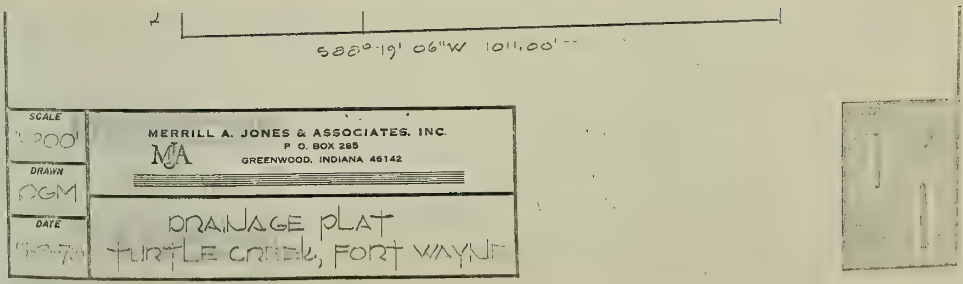
ATTEST:

____

"OWNER"

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for such County and State, personally appeared Jerry D Boswell, Ronald L Bonar and Edna L Smith, who acknowledged the execution of the foregoing Agreement for and on behalf of the City of Fort Wayne, Indiana, each of whom having been duly sworn, stated that any representations contained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1"=200'
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DGM
DATE
MERRILL A. JONES & ASSOCIATES, INC.
P. O. BOX 285
GREENWOOD, INDIANA 46142
MJA
DRAINAGE PLAT
TURTLE CREEK, FORT WAYNE

therein are true.

WITNESS my hand and Notarial Seal this 7th day of June, 1973.

Anne J. Fox
( )Notary Public

My commission expires:
March 6, 1976

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

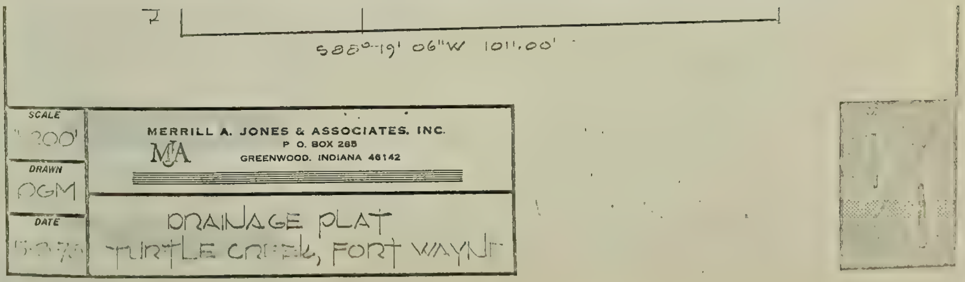
Before me, a Notary Public in and for such County and State, personally appeared Franklin L. Jackson and ~~__________________,~~ the General Partner ~~and~~ ~~__________________, respectively,~~ of Turtle Creek of Fort Wayne, an Indiana general partnership, who acknowledged the execution of the foregoing Agreement, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and Notarial Seal this 29th day of May, 1973.

Pamela Jean Holzhausen
(PAMELA JEAN HOLZHAUSEN)Notary Public

My commission expires:
4-2-77

This instrument was prepared by Michael C. Cook, Attorney at Law.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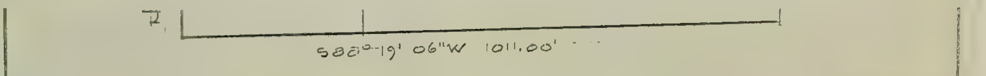
DRAWN
DGM
DATE
5-3-73
MERRILL A. JONES & ASSOCIATES, INC.
MJA
P. O. BOX 265
GREENWOOD, INDIANA 46142
DRAINAGE PLAT
TURTLE CREEK, FORT WAYNE

Exhibit "A"
Drainage Plat
Description
Turtle Creek, Fort Wayne

A part of the Northwest Quarter of the Northeast Quarter of Section 30, Township 30 North, Range 13 East, in the City of Fort Wayne, Allen County, Indiana; and being more particularly described as follows, to wit:

Beginning at the Northeast corner of the said Northwest Quarter of the Northeast Quarter, said Point being the beginning of this description; thence South 00 degrees 43 minutes 23 seconds East (the bearing computed from solar observation) 1718.36 feet; thence South 88 degrees 19 minutes 06 seconds West 1011.00 feet; thence North 00 degrees 43 minutes 23 seconds West 380.00 feet; thence South 88 degrees 15 minutes 37 seconds West 117.00 feet; thence North 00 degrees 43 minutes 23 seconds West 562.35 feet; thence North 88 degrees 15 minutes 37 seconds East 65.06 feet; thence North 00 degrees 39 minutes 36 seconds West 21.00 feet; thence North 88 degrees 15 minutes 37 seconds East 200.93 feet; thence North 00 degrees 43 minutes 23 seconds West 247.98 feet; thence North 88 degrees 15 minutes 37 seconds East 215.00 feet; thence North 00 degrees 43 minutes 23 seconds West 79.00 feet; thence North 88 degrees 15 minutes 37 seconds East 216.00 feet; thence North 00 degrees 43 minutes 23 seconds West 427.00 feet; thence North 88 degrees 15 minutes 37 seconds East 431.00 feet to the Point of Beginning and containing 34.21 Acres, more or less.

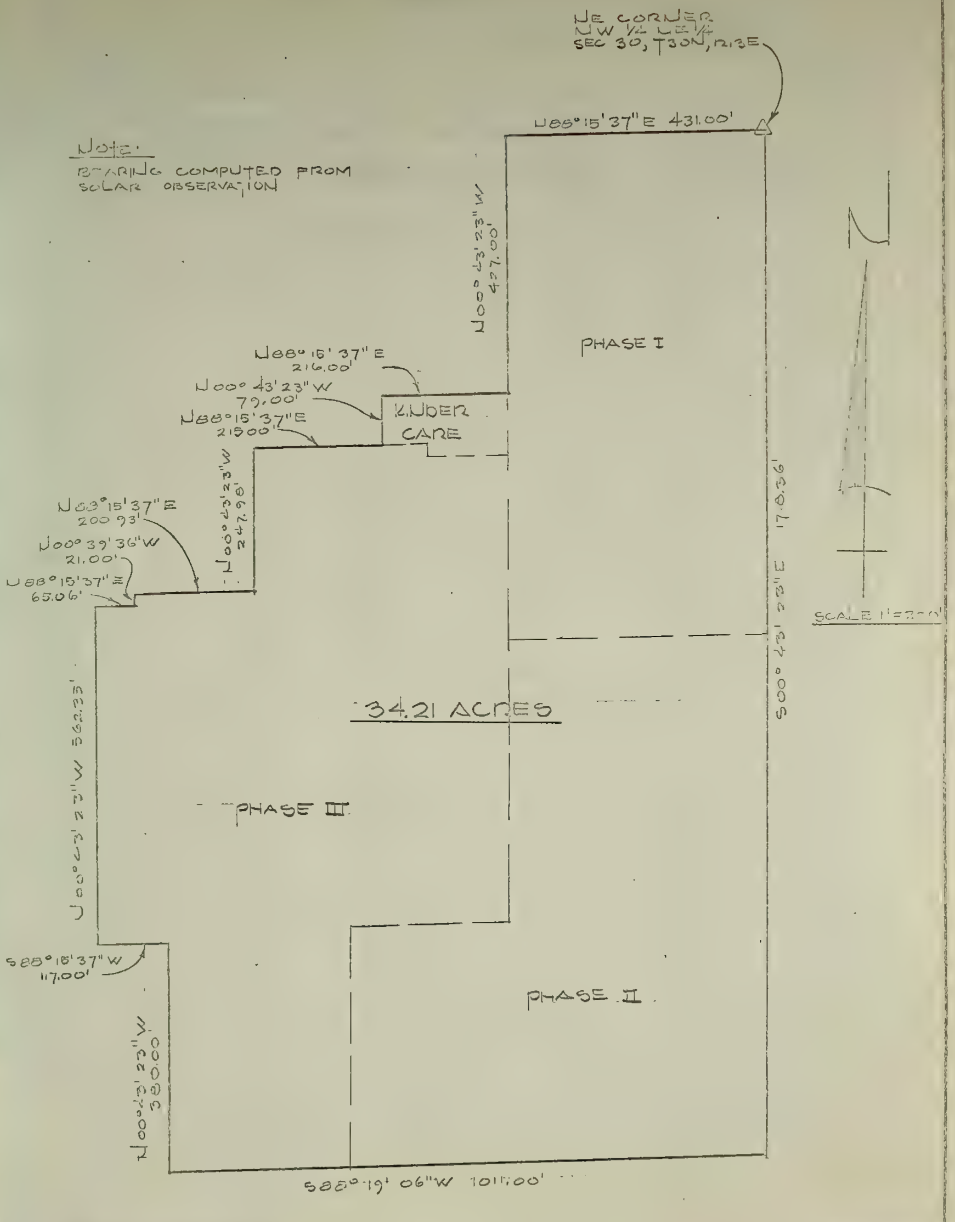
Subject, also to all other Easements and Rights-of-Way in Phases I, II and III, as recorded in the office of the Recorder of Allen County, Indiana in Book 33, Page 32 and 33.



SCALE 200'
DRAWN DGM
DATE 5-2-75

MERRILL A. JONES & ASSOCIATES. INC.
MJA
P. O. BOX 285
GREENWOOD, INDIANA 46142

DRAINAGE PLAT
TURTLE CREEK, FORT WAYNE


NOTE:
BEARING COMPUTED FROM
SOLAR OBSERVATION
NE CORNER
NW 1/4 NE 1/4
SEC 30, T30N, R13E
N88°15'37"E 431.00'
N00°43'23"W 427.00'
PHASE I
N88°15'37"E
216.00'
N00°43'23"W
79.00'
N88°15'37"E
215.00'
KINDER
CARE
N00°43'23"W
247.98'
N88°15'37"E
200.93'
N00°39'36"W
21.00'
N88°15'37"E
65.06'
S00°43'23"E 1708.36'
SCALE 1"=200'
34.21 ACRES
N00°43'23"W 562.35'
PHASE III
S88°15'37"W
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PHASE II
N00°43'23"W
380.00'
S88°19'06"W 1011.00'

SCALE	MERRILL A. JONES & ASSOCIATES, INC. MJA P. O. BOX 285 GREENWOOD, INDIANA 46142
200'	
DRAWN DGM	DRAINAGE PLAT TURTLE CREEK, FORT WAYNE
DATE 5-?-??	

EXHIBIT "B"

An approved set of plans and specifications by the Water Pollution Control Engineering Department of the City of Fort Wayne, which is on file in said Water Pollution Control Engineering Department, for the installation of Armco Metal Corrugated Arch Pipe having inside diameters of 36", 54" and 60".

Irene Swihart
ALLEN COUNTY RECORDER

1973 JUN 28 PM 3 45

S-69-73

73 15921

AGREEMENT
FOR
SEWER EXTENSION

THIS AGREEMENT, made in triplicate this 31 day of May, 1973, by and between NORTHEASTERN ENTERPRISES, INC., hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "City,"

WITNESSETH:

WHEREAS, the Developer desires to construct a sanitary sewer described as follows:

MAIN SANITARY SEWER #2:

Commencing at a proposed bulkhead more particularly described as being located 5± L.F. east of the S.W. corner of Lot #95 of Walden Section II; thence, Northerly 5± L.F. east of and parallel to the West P.L. of Lots #95 thru 99 inclusive, 410± L.F., terminating at a proposed bulkhead located 5± L.F. east of and 5± L.F. north of the N.W. corner of Lot #99 of Walden Section II.

MAIN SANITARY SEWER #3:

Commencing at a proposed manhole "I" more particularly described as being located 35± L.F. west of and 5± L.F. south of the N.E. corner of Lot #120 of Walden Section II; thence, Westerly 5± L.F. south of and parallel to the North P.L. of Lots #120 thru 128 inclusive, 635± L.F., to a proposed manhole located 20± L.F. west of and 5± L.F. south of the N.E. corner of Lot #128 of Walden Section II; thence, Northerly in the right-of-way of Vance Avenue, 60± L.F.; thence, Northernly 5± L.F. east of and parrallel to the West P.L. of Lots 164 thru 167 inclusive, 340± L.F., terminating at a proposed manhole located 5± L.F. east of the N.W. corner and on the North P.L. of Lot # 167 of Walden Section II.

SANITARY LATERAL "D":

Commencing at a proposed manhole "D-1" more particularly described as being located 5± L.F. east of and 5± L.F. north of the S.W. corner of Lot #71 of Walden Section II; thence, Northerly 5± L.F. east of and parallel to the West P.L. of Lots #71 thru 74 inclusive, 310± L.F.; thence, Northerly in the East right-of-way of Chelmsford Place, 75± L.F., terminating at a manhole located 10± L.F. west of and 10± L.F. north of the N.W. corner of Lot #75 of Walden Section II.

Board of Works Box

8.50

SANITARY LATERAL "E":

Commencing at a proposed manhole "E-1" more particularly described as being located 5± L.F. east of and 5± L.F. north of the S.W. corner of Lot #83 of Walden Section II; thence, Northerly 5± L.F. east of and parallel to the West P.L. of Lots #83 thru 88 inclusive, 390± L.F., terminating at a manhole located 10± L.F. east of and 15± L.F. north of the N.W. corner of Lot #87 of Walden Section II.

SANITARY LATERAL "J":

Commencing at a proposed manhole "I" more particularly described as being located 35± L.F. west of and 5± L.F. south of the N.E. corner of Lot #120 of Walden Section II; thence, Northerly in the right-of-way of Vance Avenue, 55± L.F.; thence, Northerly 5± L.F. east of and parrallel to the West P.L. of Lots #129 thru 136 inclusive, 610± L.F., terminating at a manhole located 15± L.F. east of and 10± L.F. north of the N.W. corner of Lot #135 of Walden Section II.

SANITARY LATERAL "K":

Commencing at a proposed manhole "J" more particularly described as being located 45± L.F. west of and 5± L.F. south of the N.E. corner of Lot #124 of Walden Section II; thence, Northerly in the right-of-way of Vance Avenue, 60± L.F.; thence, Northerly 5± L.F. east of and parrallel to the West P.L. of Lots #146 thru 154 inclusive, 690± L.F., terminating at a manhole located 15± L.F. east of and 30± L.F. north of the S.E. corner of Lot #154 of Walden Section II.

SANITARY LATERAL "V":

Commencing at a proposed manhole "V" more particularly described as being located 15± L.F. east of and 30± L.F. south of the N.W. corner of Lot #97 of Walden Section II; thence, Southwesterly in the right-of-way of Bristers Spring Run, 65± L.F., thence, Southwesterly 5± L.F. south of and parrallel to the North P.L. of Lots #100 thru 108 inclusive, 645± L.F., terminating at a manhole located 20± west of and 20± L.F. south of the N.E. corner of Lot #108 of Walden Section II.

in accordance with plans, specifications and profiles heretofore submitted to the City and now on file in the office of the Chief Engineer of the Sewer Utilities of the City, and known as Sanitary Sewers to serve Walden Subdivision, Section II, which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve only the land in which the Developer has an interest.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The Developer shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the City, under private contract after requisite City approval. All work and materials shall be subject to inspection by City and the right of City to halt construction if there shall be non-compliance therewith. Said sewer shall not be deemed permanently connected into the sewer system of City until final acceptance by City. Upon completion, said sewer shall become the property of City and City shall accept sewage therefrom, subject to such sewage service charges as may now or hereafter be regularly established by City, and all further maintenance thereafter shall be borne by City.

2. COST OF CONSTRUCTION

The Developer agrees to pay the entrie cost and expense of construction of said sewer, in cash, including City engineering and inspection fees, and to hold the City harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER

Said sewer when accepted by the City will serve the following described real estate: A part of the Southeast quarter of Section 28, Township 31 North, Range 13 East, Allen County, Indiana, more fully described as follows:

Beginning at a point on the South line of the Southeast quarter of Section 28, Township 31 North, Range 13 East, Allen County, Indiana, said point being situated South 89 degrees 24 minutes 30 seconds East a distance of 60 feet from the Southwest corner of the Southeast quarter of said Section 28, thence on a line parallel with and 60 feet East of the West line of the Southeast quarter of said Section 28 North 0 degrees 40 minutes 50 seconds East a distance of 420.0 feet, thence South 89 degrees 19 minutes 10 seconds East a distance of 120.0 feet, thence North 0 degrees 40 minutes 50 seconds East a distance of 85.0 feet, thence South 89 degrees 19 minutes 10 seconds East a distance of 182.0 feet, thence North 0 degrees 40 minutes 50 seconds East a distance of 369.34 feet, thence North 49 feet 42 minutes 50 seconds East a distance of 160.28 feet, thence South 71 degrees 36 minutes 15 seconds East a distance of 174.37 feet, thence South 61 degrees 10 minutes 1 second East a distance of 130.65 feet, thence North 77 degrees 16 minutes 39 seconds East a distance of 176.0 feet, thence North 69 degrees 44 minutes 35 seconds East a distance of 126.28 feet, thence North 5 degrees 17 minutes 5 seconds East a distance of 175.18 feet, thence North 57 degrees 10 minutes 8 seconds East a distance of 115.0 feet, thence North 69 degrees 22 minutes 56 seconds East a distance of 359.86 feet, thence North 80 degrees 57 minutes 10 seconds East a distance of 310.0 feet, thence North 9 degrees 2 minutes 50 seconds West a distance of 16.0 feet, thence North 80 degrees 57 minutes 10 seconds East a distance of 134.0 feet, thence North 16 degrees 35 minutes 16 seconds East a distance of 113.21 feet, thence South 89 degrees 25 minutes 0 seconds East a distance of 700.0 feet to a point on the East Line of the Southeast quarter of Section 28 aforementioned, said point being situated North 0 degrees 46 minutes 0 seconds East a distance of 1520.0 feet from the Southeast corner of the Southeast quarter of said Section 28, thence continuing on said East line South 0 degrees 46 minutes 0 seconds West a distance of 519.0 feet to the Northeast corner of Walden Section I, thence along the Northerly and Westerly boundary of Walden Section I by the following described courses:

North 89 degrees 25 minutes West a distance of 834.9 feet,
North 0 degrees 35 minutes East a distance of 66.7 feet,
South 80 degrees 57 minutes 10 seconds West a distance of 269.0 feet,
South 64 degrees 20 minutes 10 seconds West a distance of 97.0 feet,
South 60 degrees 21 minutes 10 seconds West a distance of 240.0 feet,
South 72 degrees 14 minutes 29 seconds West a distance of 97.08 feet,
South 35 degrees 32 minutes 10 seconds West a distance of 146.6 feet,
South 14 degrees 53 minutes 50 seconds East a distance of 142.0 feet,
South 32 degrees 22 minutes 50 seconds East a distance of 155.0 feet,
South 57 degrees 37 minutes 10 seconds West a distance of 240.0 feet,
South 17 degrees 1 minute 50 seconds East a distance of 321.9 feet,

to a point on the South line of the Southeast quarter of Section 28, thence along said South line North 89 degrees 24 minutes 30 seconds West a distance 1053.1 to the point of beginning containing 34.41 acres more of less and subject to right-of-way for Maplecrest Road, Said right-of-way more particularly described as follows:

beginning at a point on the East line of the Southeast quarter of Section 28, Township 31 North, Range 13 East, Allen County, Indiana, said point being situated North 0 degrees 46 minutes East a distance of 1001.0 feet from the Southeast corner of the Southeast corner of the Southeast quarter of said Section 28, thence North 89 degrees 25 minutes West a distance of 34.9 feet thence North 0 degrees 35 minutes East a distance of 519.0 feet thence South 89 degrees 25 minutes East a distance of 36.7 feet to a point on the East line of the Southeast quarter of Section 28, thence along said East line South

0 degrees 46 minutes West a distance of 519.0 feet to the point of beginning, containing 0.43 acres more or less.

In addition, the above described real estate is to be subject to a park to be deeded to the Walden Community Association, said park as noted in Walden, Section II, Block "A" more particularly described as follows:

Beginning at the Southwest corner of Lot Numbered 21 in Walden, Section I, recorded as Document No. 72-22883 in Plat Book 34, Pages 69-72, in the office of the Recorder of Allen County; thence North 17 degrees 01 minutes 50 seconds West a distance 121.68 feet; thence North 57 degrees 37 minutes 10 seconds East a distance of 240.0 feet; thence North 32 degrees 22 minutes 50 seconds West a distance of 155 feet; thence North 14 degrees 53 minutes 50 seconds West a distance of 142 feet; thence North 35 degrees 32 minutes 10 seconds East a distance of 146.6 feet; thence North 72 degrees 14 minutes 29 seconds East a distance of 10.0 feet; thence North 47.02 degrees 52 minutes West a distance of 180.31 feet; thence South 69 degrees 44 minutes 35 seconds West a distance of 126.28 feet; thence South 41 degrees 15 minutes 10 seconds East a distance of 158.0 feet; thence South 3 degrees 23 minutes 52 seconds West a distance of 129.25 feet; thence South 12 degrees 45 minutes 09 seconds West a distance of 170.0 feet; thence South 6 degrees 38 minutes 35 seconds West a distance of 65.07 feet; thence South 0 degrees 30 minutes 10 seconds West a distance of 250.47 feet; thence Northeasterly on a curve to the left, said curve having a radius of 400 feet, a distance of 60.66 feet, to the point of beginning, containing 1.95 acres more or less.

Therefore, the amount of assessable acea to developer for the described real estate contains 32.03 acres.

As the Developer will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard tap-in, inspection fees and monthly sewage treatment charges as are customarily charged by the City for connections to City Sewer mains and treatment of sewage therefrom.

An area connection charge of $300.00 per acre must be paid to City at the time of connection. This area connection charge is in addition to the local charge as set forth above, and represents the oversizing cost expended by City for sewer line pertaining to Pierson Ditch Interceptor - Resolution No. 145-1064 and Resolution No. 146-1964, adopted by resolution of the Board of Works on September 14, 1964.

5. BOND

This contract is subject to Developer furnishing a satisfactory Guaranty Bond for 25% of the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the City.

6. LIMITATION ON USE

Said sewer shall be constructed for disposal of snitary sewage only and neither the parties hereto, their successsors, or assigns, or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said sanitary sewer, any water runoff caused by natural precipitation or anything other than sanitary sewage or contaminated waste.

7. COUCILMANIC APPROVAL

It is understood and agreed that this contract is in all respects subject to approval by the Common Council of City, by duly adopted Ordinance, and if such Ordinance is not adopted within a period of ninety (90) days after execution thereof, this contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOF, the parties have subscribed to this agreement the day and year first above written.

NORTHEASTERN ENTERPRISES, INC.
BY: ______________________
J.L. Zehr

CITY OF FORT WAYNE, INDIANA
BY: ______________________
IVAN A. LEBAMOFF, MAYOR

BOARD OF PUBLIC WORKS
Ronald L. Bonar

ATTEST: Edna L. Smith
Clerk

Approved as to form and legality
____
Associate City Attorney

JUN 7 1973

This instrument prepared by PHILIP R. BOLLER, P.E.

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ivan A. Lebamoff, Jerry D. Boswell, Ronald L. Ronar and William G. Williams & Edna I. Smith , who acknowledged the execution of the foregoing agreement for sewer extension, as and for his voluntary act and deed for the uses and purposes therein contained

WITNESS my hand and notarial seal, this 7th day of June 1973

Anne J. Foy

My Commission Expires:
March 6, 1976

H.I 9-[illegible]-11

DECLARATORY RESOLUTION No. 1346 1973

For the Vacation [redacted] of the second alley north of Sixth Street from the east property line of Cass Street to the west property line of the first alley east of Cass Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the second alley north of Sixth Street from the east property line of Cass Street to the west property line of the first alley east of Cass Street.

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] described as follows: Lot 19, St. Vincent Place Addition; [redacted] Said Addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the south half of Section 35, Township 31 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 7th DAY OF June 1973.

Attest:
Secretary Board of Public Works.

Boswell
Ronald L. [illegible]
Board of Public Works.

8

H.I. 59-262-0

DECLARATORY RESOLUTION No. 1345 1973

For the Vacation [redacted] of the alley between Harrison Street and Cass Street from the south property line of the first alley south of Putnam Street to the north line of Feeders Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Harrison Street and Cass Street from the south property line of the first alley south of Putnam Street to the north line of Feeders Addition.

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] is described as follows: Lots 15 to 24 inclusive, St. Vincent Place Addition. Said Addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the south half of Section 35, Township 31 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 7th DAY OF June 1973.

Attest:
Secretary Board of Public Works.

Boswell
Ronald L. Bolnar
Board of Public Works.

H.I 59-262-1

DECLARATORY RESOLUTION No. **1341** 19 73

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of the utility easement across the east 7 feet of the west 14 feet, except the south 7 feet of Lot No. 4, Casselwood Terrace and also the east 7 feet of the west 14 feet, except the north 7 feet and the south 40 feet of Lot No. 5, Casselwood Terrace.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the utility easement across the east 7 feet of the west 14 feet except the south 7 feet of Lot No. 4, Casselwood Terrace and also the east 7 feet of the west 14 feet, except the north 7 feet and the south 40 feet of Lot No. 5, Casselwood Terrace.

All as shown by a plan of such proposed Vacation - of Utility Easement ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - of Utility Easement ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots No. 4 and 5 in Casselwood Terrace. Said Addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described~~ ________ shall be subject to an easement ~~for the use of the~~ City of Fort Wayne, Indiana, and ~~other public utilities for the~~ construction and maintenance of sewers, ~~water mains,~~ gas mains, electric pole lines and conduits, telephone and telegraph pole ~~lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northwest Quarter of Section Twenty Nine, Township 30 North, Range 13 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 7th DAY OF June 1973.

Attest: ____________________
Secretary Board of Public Works.

____
Board of Public Works.

DECLARATORY RESOLUTION No. 1344 19 73

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of the first alley west of Griswold Drive from the south property line of Anderson Avenue to the north property line of the first alley south of Anderson Avenue, said alley lying between Lots 44 and 45, Fairview Place Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley west of Griswold Drive from the south property line of Anderson Avenue to the north property line of the first alley south of Anderson Avenue, said alley lying between Lots 44 and 45, Fairview Place Addition.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots 44 and 45, Fairview Place Addition, said Addition is inclusive to the City of Fort Wayne, Indiana

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described __________ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northwest quarter Section 1, Township 30 north, range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 7th DAY OF June 19 73.

Attest: __________
Secretary Board of Public Works.

Ronald L. Bonar

Board of Public Works.

DECLARATORY RESOLUTION No. 1339 19 73

For the [redacted] - Opening [redacted] of a sixty (60) foot wide street which is the extension of existing Stratford Road, said extension to be known also as Stratford Road.'

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open a sixty (60) foot wide street which is the extension of existing Stratford Road, said extension to be known also as Stratford Road and is more particularly described as follows:

(See attached sheet)

All as shown by a plan of such proposed [redacted] - Opening [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said [redacted] Opening [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such [redacted] Opening [redacted] described as follows: part of Lot 6, R. L. Britton Estate lying west of Southwood Avenue and north of Roxbury Drive also that area lying west of Stratford Road and north of St. Mary's River being part of Foster Park. Said property is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The opening [redacted] of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described opening are situated in the southeast quarter, Section 22, Township 30 North, Range 12 East, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana

ADOPTED THIS 7th DAY OF June 19 73.

Attest:
Secretary Board of Public Works.

Board of Public Works.

DECLARATORY RESOLUTION No. 1339 1973

For the [redacted] - Opening [redacted] of a sixty (60) foot wide street which is the extension of existing Stratford Road, said extension to be known also as Stratford Road.'

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open a sixty (60) foot wide street which is the extension of existing Stratford Road, said extension to be known also as Stratford Road and is more particularly described as follows:

(See attached sheet)

All as shown by a plan of such proposed [redacted] - Opening [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said [redacted] Opening [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such [redacted] Opening [redacted] described as follows: part of Lot 6, R. L. Britton Estate lying west of Southwood Avenue and north of Roxbury Drive also that area lying west of Stratford Road and north of St. Mary's River being part of Foster Park. Said property is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The [redacted] opening of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described opening are situated in the southeast quarter, Section 22, Township 30 North, Range 12 East, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 7th DAY OF June 1973.

Attest: ______________________
Secretary Board of Public Works.

Board of Public Works.

DESCRIPTION OF STREET TO BE OPENED

Commencing at a point on the West line of Stratford Road at a point 476.07 feet South of the center line of Pettit Avenue; thence on a curve to the right, whose Radius is 189.34 feet a distance of 60.15 feet to the point of tangent; thence on the line of tangent a distance of 21 feet; thence on a curve to the left whose Radius is 383.05 feet a distance of 105.71 feet; thence South and parallel to the East line of Lot 7, R. L. Britton Estate a distance of 196 feet; thence East and parallel to the center line of Pettit Avenue a distance of 60 feet to a point on the East line of Lot No. 7, R. L. Britton Estate; thence North along the East line Lot No. 7, R. L. Britton Estate a distance of 308.13 feet; thence West and parallel to the centerline of Pettit Avenue a distance of 30 feet to the West property line of Stratford Road as originally platted; thence North along the West property line of Stratford Road a distance of 66 feet to the point of beginning.

H.I 59-257-8
6/4/73

DECLARATORY RESOLUTION No. 1343 1973

For the [redacted] Condemnation of right of way for [redacted] street and utility purposes along the south side of Tillman Road between Old Decatur Road and Anthony Boulevard.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for street and utility purposes along the south side of Tillman Road more particularly described as follows:

(see attached sheet)

All as shown by a plan of such proposed [redacted] Condemnation of right of way for street and utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana The condemnation of right of way for street and utility is to be made by condemning and appropriating the property described above.

The cost of said [redacted] Condemnation of right of way for utility and street purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such [redacted] Condemnation of right of way for utility purposes is described as follows: That part of the northeast quarter of Section 36, Township 30 North, Range 12 East lying south of Tillman Road, northeast of Old Decatur Road and west of Anthony Boulevard. Said property is inclusive to the City of Ft. Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described ______ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction, operation and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described condemnation of right of way for street and utility purposes are situated in the northeast quarter of Section 36, Township 30 North, Range 12 East and lie wholly within the corporate limits of the City of Ft. Wayne, Indiana.

ADOPTED THIS 4th DAY OF June 1973.

Attest:

Secretary Board of Public Works.

Board of Public Works.

PROPERTY TO BE CONDEMNED FOR STREET AND UTILITY PURPOSES

Beginning at the southeast corner of Tillman Road and Old Decatur Road (this corner being the intersecting right of way lines of both roads) thence east along the south right of way line of Tillman Road a distance of 345± feet; thence southwesterly a distance of 211± feet parallel to centerline of Tillman Road and 40 feet south of the aforementioned centerline of Tillman Road to the point of tangency of the curve; thence west parallel to the centerline of Tillman Road a distance of 113± feet to the east right of way line of Old Decatur Road; thence northwesterly a distance of 26.6 feet to the point of beginning. As per attached drawing.

ALSO A PERMANENT SEWER EASEMENT DESCRIBED AS FOLLOWS:

Commencing at the northeast corner of Section 36, Township 30 North, Range 12 East, thence south along the east line of Section 36, a distance of 25 feet, thence west a distance of 50 feet to the point of beginning, said point also being on the west property line of Anthony Boulevard and on the south property line of Tillman Road, thence continuing west along the south property line of Tillman Road, a distance of 175 feet, thence south 10 feet and parallel with east line of Section 36, thence east parallel with the south property line of Tillman Road 175 feet, thence north along the west property line of Anthony Boulevard 10 feet to the point of beginning.

DECLARATORY RESOLUTION No. 1342 1973

For the [redacted] Condemnation of right of way for street [redacted] purposes across the south 20 feet of a portion of Lot 1, Curdes South Acre Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for street purposes across a portion of Lot 1 Curdes South Acre Addition, more particularly described as follows: The south 20 feet of the west 75 feet of the east 115 feet of said Lot 1.

All as shown by a plan of such proposed [redacted] Condemnation of right of way for street [redacted] purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana The condemnation of right of way is to be made by condemning and appropriating for street purposes the property described above.

The cost of said [redacted] Condemnation of right of way for street [redacted] purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such [redacted] Condemnation of right of way for street [redacted] purposes is described as follows: The west 75 feet of the east 115 feet, Lot 1 Curdes South Acre Addition. Said addition is inclusive to the City of Fort Wayne, Indiana

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described ______________ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described condemnation of right of way for street purposes are situated in the southwest quarter Section 30, Township 30 North, Range 13 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 4th DAY OF June 19 73.

Attest: ______________________
Secretary Board of Public Works.

Board of Public Works.

57 - [illegible] - 7 H.I

THIS FORM HAS BEEN *APPROVED* BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

WARRANTY DEED

73 12145

This indenture witnesseth that OHIO PLATE GLASS COMPANY, an Ohio Corporation, duly admitted to do business in the State of Indiana

of Lucas *County in the State of* Ohio

Conveys and warrants to the City of Fort Wayne, an Indiana Municipal Corporation

of Allen *County in the State of* Indiana

for and in consideration of Ten Dollars and other good and valuable consideration *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

Lots Numbered 172, 173, 174, 175 and 205 in Lewis Addition to the City of Fort Wayne, according to the recorded plat thereof.

DULY ENTERED FOR TAXATION
MAY 22 1973
Dorothy E. Raver
AUDITOR OF ALLEN COUNTY

ALLEN COUNTY RECORDER
1973 MAY 22 AM 10 41

Indiana Gross Income Tax on
Sale of Real Estate
Paid by Grantor
Grantor
Date Paid May 22, 1973
Amount Paid $ 1425.00
Treasurer's Receipt # 293617
Allen County

State of ~~**Indiana**~~ Ohio, Lucas **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 2nd *day of* May 1973 *personally appeared:* R.C. Heymann Jr. and Harold Sauer OHIO PLATE GLASS COMPANY, an Ohio Corporation, duly admitted to do business in the State of Indiana by its president R.C. Heymann, Jr., and its secretary Harold Sauer, being duly authorized herein by resolution of the Board of Directors of said corporation,

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires 19

JOHN W. BENNETT
Notary Public, Lucas County, Ohio
My Commission Expires JUNE 9, 1976
John W. Bennett *Notary Public*

Dated this 2nd **Day of** May 1973

OHIO PLATE GLASS COMPANY
By _____ *Seal*
R.C. Heymann, its President
~~ATTEST:~~ *Seal*
_____ *Seal*
Harold Sauer, its Secretary
(Corporate Seal) *Seal*
_____ *Seal*
_____ *Seal*

This instrument was prepared by Ralph R. Blume

Instrument G 2695

Member of Allen County *Indiana Bar Association*

MAIL TO: Board of Works Bok

$75,000.00

COPYRIGHT ALLEN COUNTY INDIANA BAR ASSOCIATION, 1957
Croft-Line Printing, Inc., Fort Wayne, Indiana

250

IMPROVEMENT RESOLUTION

FOR CURB, SIDEWALK AND STREET REPAIR

No. 5635 1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, That it is deemed necessary to improve the curbing, sidewalk and street on the west side of Lafayette Street from the north property line of Main Street to the north property line of Vacated Columbia Street,

all in accordance with the detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The entire cost of said improvement is to be paid by the City of Fort Wayne, Indiana.

ADOPTED, this 7th day of May, 1973

BOARD OF PUBLIC WORKS

Boswell
Ronald L. Bonar

Improvement Resolution

FOR STREET OR ALLEY

No. 5634-1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve the alley between Brooklyn Avenue and Westview Avenue

from the north property line of Covington Road

to the south property line of Carlton Avenue

By draining, curbing, grading and paving the roadway to a uniform width of ten (10) feet with ~~Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation,~~ Six (6) inch Plain Concrete ~~or with 8" Macadam, 2" Binder and 1" Asphalt Top.~~

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum cost of $5.00 per front foot ~~The total cost of said improvement, excepting the cost of street and alley intersections~~, shall be assessed upon the real estate abutting on said alley as above described and on property within 150 feet of the line of the alley to be improved, and the balance of the total cost upon the City of Fort Wayne, Indiana, to the extent of the street and alley intersections. All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of six (6) ~~five (5)~~ per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 16th *day of* May 1973

BOARD OF PUBLIC WORKS:

Ronald L. Bonar

CALHOUN PRESS

H.I.

Form 1929

Improvement Resolution

FOR STREET OR ALLEY

No. 5633 -1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve Clermont Avenue

from the east property line of Hessen Cassel Road

to the west property line of Wayne Trace

By draining, curbing, grading and paving the roadway to a uniform width of twenty-seven including curbs (27) feet with ~~Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation~~, Six (6) inch Plain Concrete ~~or with 8" Macadam, 2" Binder and 1" Asphalt Top~~

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum cost of $12.00 per front foot ~~The total cost of said improvement, excepting the cost of street and alley intersections~~, shall be assessed upon the real estate abutting on said Clermont Avenue as above described and on property within 150 feet of the line of the street to be improved, and/the balance of the total cost upon the City of Fort Wayne, Indiana, ~~to the extent of the street and alley intersections.~~ All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five (5)~~ six (6) per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 16th *day of* May, 1973

BOARD OF PUBLIC WORKS:

CALHOUN PRESS

H.I

DECLARATORY RESOLUTION No. 1340 19 73

For the Vacation [redacted] of Glenwood Avenue from the west right of way line of Hobson Road to a point 292.6 feet west, said point also being the division line between Rosalie Park Addition and Arnold's Suburban Addition, said additions are inclusive to the City of Fort Wayne, Indiana

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Glenwood Avenue from the west right of way line of Hobson Road to a point 292.6 feet west, said point also being the division line between Rosalie Park Addition and Arnold's Suburban Addition, said additions are inclusive to the City of Fort Wayne, Indiana

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] is described as follows: Lots 4 and 5 Arnold's Suburban Addition, to the City of Fort Wayne, Indiana

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter Section 31, Township 31 north, Range 13 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana

ADOPTED THIS 16th DAY OF May 19 73.

Attest:

Secretary Board of Public Works.

Board of Public Works.

59-225-1

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

73 09049

QUIT-CLAIM DEED

This indenture witnesseth that MARY ANN BEAUTY SALON, INC., an Indiana Corporation,

of ALLEN *County in the State of* INDIANA

Releases and quit claims to THE CITY OF FORT WAYNE, INDIANA

of ALLEN *County in the State of* INDIANA

for and in consideration of TEN DOLLARS ($10.00) and other good and valuable consideration, *the receipt whereof is hereby acknowledged, the following Real Estate in* ALLEN *County in the State of Indiana, to wit:*

The east 27 feet of Lot Numbered twenty-five (25) and the West 12½ feet of Lot Numbered twenty-six (26), all in Chutes Homestead Addition to the City of Fort Wayne, Indiana, according to the recorded Plat thereof, commonly known as 1132 Summit Street.

Irene Linhart
ALLEN COUNTY RECORDER
1973 APR 19 PM 2 58

Grantor represents that no Indiana Gross Income Tax is due or payable as a result of this conveyance

Dated this 14th **Day of** November **19** 72

MARY ANN BEAUTY SALON, INC.

By: Beulah M. Coolman Seal
Beulah M. Coolman, President

By: Robert Martin Seal
Robert Martin, Secretary

Seal

DULY ENTERED FOR TAXATION Seal

APR 19 1973 Seal

Dorothy E. Raver
AUDITOR OF ALLEN COUNTY Seal

State of Indiana, ALLEN **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 14th *day of* November *19* 72 *personally appeared:*

Beulah M. Coolman, as President of Mary Ann Beauty Salon, Inc., and Robert Martin, as Vice-President of Mary Ann Beauty Salon, Inc.,

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires October 22 *19* 75.

Susan A. Gfell
Susan A. Gfell *Notary Public*

This instrument prepared by Robert J. Barbieri *, Attorney at Law*

Instrument G 1503

MAIL TO:
Bd of works

PRINTED BY THE ALLEN COUNTY INDIANA BAR ASSOCIATION 2.50

59-217-14
4/24/73

Fee is Per Cent of Construction Cost

THIS AGREEMENT made this 24th day of April, 1973, by and between the City of Fort Wayne, acting by and through its Board of Public Works of the City of Fort Wayne, Indiana, hereinafter called the OWNER, and Butler, Fairman and Seufert, Inc., hereinafter called the ENGINEER, WITNESSETH:

That whereas the Owner intends to construct improvements to Tillman Road which include street widening, signaling, lighting and intersection improvements from Anthony Boulevard to Hessen Cassel Road in the City of Fort Wayne, Indiana, hereinafter called the PROJECT.

NOW, THEREFORE, the Owner and Engineer for the considerations hereinafter set forth, agree as follows:

ARTICLE 1. THE ENGINEER AGREES to perform the following engineering services for the Project:

A. Phase Ia- Conceptual Design and Federal Aid Application
After receiving from the Owner, written notice to proceed, the Engineer agrees to:

1. Prepare Conceptual Design Forms from aerial photography available or other available maps in sufficient detail to show the scope of the proposed improvement, including typical cross section, storm sewers, etc.

2. Prepare for the Owner necessary applications to change the designation of the Project from F.A.S. to F.A.U., and also to obtain assistance from the Federal Highway Administration under the F.A.U. Program. The Engineer shall assist the Owner as necessary in supporting documents, meetings, etc., to accomplish this item.

3. Following a decision by the Indiana State Highway Commission and the Federal Highway Administration regarding change in classification and federal funding for this project, Owner will advise Engineer in in writing of the scope of the improvement to be pursued for this Project.

Phase Ib - Preliminary Engineering Design and Right of Way Plans
After receiving from the Owner written notice to proceed with the Preliminary Engineering Design, the Engineer agrees to:

1. Make the Design Survey, including all required survey data necessary for the preparation of Contract Plans, the Engineer may obtain survey data by photogrammetric methods. Such Design Survey shall be in accordance with the accepted standards of practice as used by the Indiana State Highway Commission. As part of Survey, Engineer shall establish survey base line and/or center line of street, and reference points at street intersections and benchmarks.

2. Prepare Preliminary Plans, Itemized Preliminary Construction Cost Estimates in sufficient detail and accuracy as required to prepare final Contract Plans and Specifications. Such Preliminary Plans and Cost Estimates shall be in accordance with accepted standards of practice as used by the Indiana State Highway Commission. Plans to include roadway design, signing, street lighting, tree planting, and signalization of major intersections.

3. Where additional Right of Way is required, either permanent or temporary, it will be indicated on the plan sheets. Should Plats and Instruments required for acquisition of Right of Way be needed, they will be furnished under Article 4B, in accordance with "Right of Way Engineering Procedures Manual", dated 1972, by the Indiana State Highway Commission.

4. Engineer shall locate and identify all utilities (underground and aerial) accurately and, if necessary, request excavations to determine exact horizontal and vertical locations. Owner shall provide or cause to be provided labor and materials for required excavations, and Engineer shall provide survey crew to measure locations.

5. Environmental Statement - The Engineer shall furnish the Owner with data but the Engineer shall not prepare the statement under this Contract.

B. Phase II - Final Engineering Design Upon approval of the Preliminary Engineering Design by the Owner and after receiving from the Owner written notice to proceed with Final Engineering Design, the Engineer agrees to:

   1. Prepare Final Contract Plans and Specifications for the following including Special Provisions, Proposal Forms, Notice to Bidders, and Itemized Final Estimates of cost of construction, in accordance with accepted standards of practice as used by the Indiana State Highway Commission.

a. Roadway construction
b. Signing installation
c. Street lighting installation
d. Signalization of major intersections, except for computer circuits which shall be furnished by the Owner
e. Show street right of way line and adjacent property owners with street address. Owner to furnish property ownership list to Engineer.
f. Tree planting in right of way

2. Furnish Reproductions The Engineer shall furnish the Owner with one set of reproducible sepias or mylars of the final approved Contract Plans and Cross Sections, and four (4) sets of reproductions of the final approved Contract Specifications. The Final Estimate of Cost shall be presented to the Owner in its original prescribed form for safekeeping, and no other distribution of said Estimate of Construction Cost shall be made.

3. Governmental Agencies The Engineer shall obtain written approvals of Engineering Design from all affected governmental agencies; railroads and utilities where required.

4. Design Reports The Engineer shall submit to the Owner monthly Preliminary and Final Engineering Design Status Reports showing progress and percent complete.

C. Phase III - Construction Phase If requested in writing by the Owner and after the Contractor's written order to proceed, the Engineer shall proceed with the general engineering inspection of the construction and shall:

1. Provide general engineering administration of the construction contract including, at the Owner's request, the giving of technical engineering information to legal counsel as an aid to the interpretation and clarification of the Contract Documents.

2. Check and approve Contractor's requests for payment, samples, catalogue data, schedules, shop drawings, laboratory, shop and mill tests of equipment and other data which the Contractor is required to submit, only for conformance with the design concept of the Project and compliance with the information given by the Contract Documents; and shall collect all guarantees required of Contractors or Suppliers but shall not prepare any required guarantees without approval of legal counsel.

3. Engineer shall provide Owner with one (1) set of reproducible "As Built" drawings following completion of construction reflecting actual conditions as found and constructed. Owner will provide Engineer with necessary information in the event the Engineer does

not perform Phases IV and V.

D. Phase IV - Resident Engineer and Inspectors Upon written request by the Owner, the Engineer shall provide a qualified resident engineer and necessary inspector(s) during active installation and construction of the Project to perform project engineering and inspection services required by City, State and Federal Highway officials, if applicable. This service shall be comprehensive to include all reports, approval of contractor's materials, testing, approval of contractor's invoices, monthly progress reports, etc., which will be necessary for full completion and acceptance of the Project by the City, State and Federal Highway representatives, if applicable.

E. Phase V - Construction Engineering If requested by the Owner in writing, the Engineer agrees to:

1. Furnish all materials and labor to set layout and grade stakes for the construction of this Project.
    a. One (1) week notice will be required in advance of staking needed.
    b. Stakes will be set only one (1) time. Should the Contractor inadvertently knock out stakes, reimbursement for replacing shall be required on an actual time and overhead and expense basis.
2. The Engineer will not furnish a full-time crew under this Contract unless the Owner requests and negotiates additional compensation to cover full-time residents.

F. Attend Conferences For all phases authorized by the Owner, the Engineer shall attend such conferences, record and distribute minutes, with the officials of the Owner and other interested agencies and governmental units as may be required in connection with the work. Compensation for this service shall be included in the fee for the respective phase.

ARTICLE 2. COMPLETION SCHEDULE After receiving from the Owner written notice to proceed, the Preliminary Plans, Right of Way Plans (Phase I) and Final Contract Plans (Phase II) shall be completed by the Engineer and submitted to the Owner for its approval in accordance with the following schedule:

Design Schedule:
Preliminary Plans (Phase I) completed within
120 Calendar Days
after written authorization to proceed with Preliminary Engineering Design.

Right of Way Plans (Phase I) submitted within
60 Calendar Days
after written approval of Preliminary Engineering Design.

Final Contract Plans (Phase II) completed within
120 Calendar Days
after written authorization to proceed with Final
Engineering Design and approval of regulatory
Governmental Agencies

The above timetable shall be subject to documented delays due to required approval by regulatory Governmental Agencies.

For each calendar day the Engineer fails to complete his work in accordance with the Completion Schedule, a penalty of $100.00 per calendar day shall be deducted from his compensation.

ARTICLE 3. INFORMATION AND SERVICES TO BE FURNISHED OR CAUSED TO BE FURNISHED BY OWNER

The Owner shall furnish the Engineer with the following:

A. Criteria for design and detail such as project limits, pavement and median widths, grades, curves, sight distances, clearances, design loadings, etc.

B. Any necessary soil borings or assist in subsurface investigations that may be required for the engineering design.

C. Reproducible Roadway and/or Bridge Standards required for construction of the Project, including the Owner's Standard Title sheet and Construction Identification Sign to be incorporated into the Contract Plans.

D. Guaranty of Title, requirements for Land Plat preparation, the Owner's Standard Instrument necessary for Right of Way Acquisition upon which Legal Description is to be placed.

E. Prepare or cause to be prepared all advertisements for bids and cause same to be properly advertised.

F. Furnish the necessary reproductions of the Contract Plans and Contract Documents necessary for construction of the Project for distribution to the Contractors, Sub-Contractors, Utilities and Suppliers prior to the date for receipt of construction bids.

G. Prepare and submit the Environmental Statement and Design Study Report from data furnished by the Engineer.

H. Street Lighting design indicating pole spacing, size and type of luminiare, wiring, etc.

I. Number, location and species of all new tree plantings in right of way.

A. The Owner, for and in consideration of the renderings of the Engineer's Basic Services, Phases I, II and III, herein described, agrees to pay to the Engineer a fee of Six and One Half Per Cent (6½%) of the construction cost, but the total fee for design shall not exceed $65,000.00. This fee to be paid in the following manner:

Phase Ia - Conceptual Design and Federal Aid Application

1. Upon the Engineer's completion of the work set forth in this Phase $1,500.00 shall be paid which shall be deducted from future payments for Phase Ib.

Phase Ib - Preliminary Engineering Design & Right of Way Plans

1. Upon the Engineer's completion of the Design Survey, One Per Cent (1.0%) of the construction cost, based upon the Engineer's Preliminary Estimate.

2. Upon the completion of other items in Phase I and the Engineer's submission of Preliminary Plans and Preliminary Right of Way Plans to the Owner and other interested governmental agencies, One and One Half Per Cent (1.5%) of the construction cost, based upon the Engineer's Preliminary Estimate.

3. Upon the approval of Preliminary Plans and Preliminary Right of Way Plans by the Owner and other interested governmental agencies, One Per Cent (1.0%) of the Engineer's Preliminary Estimate.

Phase II - Final Engineering Design

1. Upon the completion of this phase and the Engineer's submission and approval of Final Plans to the Owner and other interested governmental agencies, One and Eight Tenths Per Cent (1.8%) of the construction cost based upon the Engineer's Final Estimate.

2. Upon receipt of an acceptable bid, Two Tenths of One Per Cent (0.2%) of the construction cost, based on Actual Bid Price, less previous payments.

Phase III - Construction Phase

For services during the Construction Phase provided in Phase III hereof, the Engineer shall receive compensation of One Per Cent (1.0%) of the construction cost, payable monthly in proportion to the Monthly Progress Estimates, providing a total basic percentage fee for Phases I, II and III in the amount of Six and One Half Per Cent (6.5%) of the cost of construction.

B. Optional Basic Services

Phase IV - Resident Engineer and Inspectors

For the Resident Engineer and Inspectors' services provided for in Phase IV hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.50, but not to exceed a total fee of $40,000.00.

This fee to be paid monthly upon submission of a claim to the Owner.

Phase V - Construction Engineering

For the Construction Engineering provided for in Phase V hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.50, but not to exceed a total fee of $10,000.00.

The above fees to be paid following completion of each Phase or Sub-Phase and submission of an itemized claim in proportion to services performed as presented in the Monthly Engineering Design Status Reports.

C. Right of Way Documents

The Owner, for and in consideration of the renderings of Engineering Services for the preparation of Legal Descriptions and Land Plats if requested in writing by the Owner, agrees to pay to the Engineer as follows:

1. For each description requiring a Plat, a fee of One Hundred Twenty-Five Dollars ($125.00) per description.

2. For each description which does not require a Land Plat, a fee of Seventy-Five Dollars ($75.00) per description.

D. Change in Scope

In the event there is a major change in scope and character of the work after survey or plan work has progressed as directed by the Owner, adjustments in the fee payable to the Engineer as outlined in Article 4A and in the Completion Schedule as outlined in Article 2 shall be determined through arbitration between the parties to the Agreement.

E. Engineer's Maximum Compensation

The Engineer's Estimated Construction Cost and maximum amount from which the Engineer's compensation shall be computed for Phases I, II and III is One Million Dollars ($1,000,000.00).

F. Additional Services

In the event that the Engineer is directed by the Owner to cause to be made borings and detailed estimates of right of way cost, or other additional services not covered in Phases I through V, the Engineer shall be reimbursed by the Owner for the actual cost of such services at payroll times a multiplier of 2.50.

ARTICLE 5. WORKMEN'S COMPENSATION AND LIABILITY INSURANCE

A. The Engineer agrees to purchase and maintain at his expense the following kinds and amounts of insurance:

B. A policy covering the obligation of the Engineer in accordance with the provisions of the WORKMEN'S COMPENSATION LAW of the State of Indiana.

C. Policies of Bodily Injury Liability and Property Damage Liability Insurance with limits of liability of not less than One Hundred Thousand Dollars ($100,000.00) for each damage claim arising out of bodily injury, and not less than Three Hundred Thousand Dollars ($300,000.00) for all damages arising out of bodily injury, including death at any time resulting therefrom, sustained by two or more persons in any one accident; and not less than Fifty Thousand Dollars ($50,000.00) for all damages arising out of injury or destruction of property in any accident, nor less than One Hundred Thousand Dollars ($100,000.00) for all damages arising out of injury to or destruction of property suffered by two or more persons for any one accident.

ARTICLE 6. ABANDONMENT AND TERMINATION

A. Abandonment. If the Owner shall abandon the services described herein, the Engineer shall deliver to the Owner all survey notes, drawings, specifications and estimates completed or partially completed, and these shall become the property of the Owner. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the Engineer to the date of abandonment, as reported under Article 1, and which may be mutually agreed upon by the Owner and the Engineer. The Payment as made to the Engineer shall be paid as a final payment in full settlement of his services hereunder.

B. Termination. This Agreement may be terminated by either party by seven (7) days' written notice by mutual agreements; or in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If this Agreement is terminated, the Engineer shall be paid for the extent of services performed by him to the termination notice date.

ARTICLE 7. OWNERSHIP OF DOCUMENTS

A. All documents, including tracings of Contract Plans and Drawings, Cost Estimates, Specifications, Design Survey, Right of Way Documents, Field Notes, Information from Investigations and Studies, Computations, Written Approvals from Governmental Agencies, etc., as instruments of service, are to be the property of the Owner. During the performance of the Engineering Services herein provided for the Engineer shall be responsible for any loss or damage to the Documents, herein enumerated, while they are in his possession, and any such loss or damage shall be restored at his expense. Full access to the work during the preparation of the Contract Plans shall be available to the Owner and at the discretion of the Owner to other governmental agencies interested in this work.

B. Upon completion and final approval of the work by the Owner, the Engineer shall deliver to the Owner all design documents.

ARTICLE 8. NON-DISCRIMINATION

A. The Engineer shall not discriminate against any employee or applicant for employment to be employed in the performance of this Agreement, with respect to his hire, tenure, terms, conditions or privileges of employment because of his race, color, religion, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the Agreement.

ARTICLE 9. SUCCESSORS AND ASSIGNS

A. Except as otherwise herein provided, the rights and obligations created by this Agreement shall run to the benefit of and shall be binding upon the heirs, executors, administrators, assigns, and successors in interest of the parties hereto.

ARTICLE 10. SPECIAL PROVISIONS

A. The Engineer hereby designates Clifford E. Seufert, P.E. #8886, as Project Engineer for the proposed Project and shall not change Project Engineers without written approval from the Owner.

BUTLER, FAIRMAN AND SEUFERT, INC.

BY: Ned R Fairman
Ned R. Fairman, President

ATTEST:

Robert P Butler
Secretary

APPROVED as to form and legality

City Attorney

ACCEPTANCE OF PROPOSAL

BOARD OF PUBLIC WORKS
FORT WAYNE, INDIANA

J D Boswell
Dr. Jerry D. Boswell, Chairman

Ronald L Bonar
Ronald L. Bonar, P.E.

William G. Williams APR 24 197[illegible]

Ivan A. Lebamoff
Mayor Ivan A. Lebamoff

ATTEST:

Edna I. Smith
Edna I. Smith, Executive Secretary
Board of Public Works

LEASE

THIS LEASE, made and entered into between the Board of Public Works of the City of Fort Wayne (hereinafter called "Lessor") and Park Department of said City (hereinafter called "Lessee").

WITNESSETH:

Lessor hereby leases to Lessee, City Utilities Park, Reservoir Park, and that Park known as "Sherman Park" being the Park and improvements situated immediately east of Sherman Boulevard on the north side of the St. Marys River.

In consideration thereof, Lessee agrees:

1. To pay Lessor as rent for said parks the sum of One Dollar ($1.00) per year, the first installment to be paid contemporaneously with the execution of this lease and each remaining installment to be paid on December 31 of each calendar year as rent for the next succeeding calendar year.

2. To make no major change in the general use of the parks as recreational centers for such activities as playgrounds, ice skating, sledding, ball games, tennis, day camps, horse shoes (and, in the case of City Utilities Park, camping), it being understood that the foregoing are presented by way of illustration and not of limitation, without prior written approval from Lessor, which approval shall be given in writing describing what changes are to be made in the activities.

3. To add no new facilities nor remove any existing facilities without prior written approval from Lessor, which approval shall be given in writing describing what changes are to be made in the facilities.

4. To return the parks and facilities to Lessor at the expiration of this lease in as good condition as to repair, serviceability and sightliness as of the date of execution hereof, only normal wear and tear being excepted, it being understood that Lessee assumes responsibility for damage and/or depreciation arising from any other cause, including by way of illustration and not of limitation vandalism, riot and acts of God.

5. To pay any expenses or costs (including the cost of labor employed by and equipment belonging to Lessor) incurred by Lessor in restoring the parks and premises to as good condition as to repair, servicability and sightliness as of the date of execution hereof.

6. To maintain a) property damage insurance covering the parks and facilities and extending to all insurable casualties, including acts of God; b) liability insurance covering the parks and premises. The policies of insurance shall be submitted to Lessor for approval, which approval shall not be unreasonably withheld.

D. Bramell
Ronald L. Bonar

BOARD OF PUBLIC WORKS
APR 24 1973

Louis T. Niezer
Richard W. Allen
A. L. Berk

PARK BOARD

Ivan A. Lebamoff
I. A. LEBAMOFF, MAYOR

DATE EXECUTED:____________, 1973

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

SIDEWALK IMPROVEMENT RESOLUTION NO. 5631-1973

HOBSON ROAD AND VANCE AVENUE

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed necessary to construct sidewalk on both sides of Hobson Road from the south line of U.S. 30 Bypass south to the north line of State Street, and on both sides of Vance Avenue from Hobson Road east to Sherborne Boulevard, except where sidewalk is now in place, to a width of five feet. All in accordance with the profile, detail drawings and specifications on file in the Office of the Department of Public Works of said City; and such improvement is now ordered.

WHEREAS, the Board of Public Works, in cooperation with the Federal Highway Administration, is planning major improvements on the above described sections of Hobson Road and Vance Avenue, including new pavements, curbings, storm drainage and street lights, and

WHEREAS, the cost of said improvements will be shared 50% with City funds and 50% from Federal funds, and

WHEREAS, the Board has received a petition requesting that sidewalks be included in said major improvements of Hobson Road and Vance Avenue, with the understanding the abutting property owners will be assessed the 50% City share of the cost thereof, and

WHEREAS, the Board of Public Works has caused to be included in said project sidewalks as set forth above which will be eligible for 50% Federal participation.

NOW THEREFORE, be it resolved that the Board of Public Works has contracted with the Indiana State Highway Commission and the Federal Highway Administration for the construction of sidewalks as part of this major improvement program known as Hobson Road - M-7384(1); Vance Avenue - T-6002(22) and that 50% of the cost thereof (or that portion representing the local share) shall be assessed by this Resolution to the abutting property owners, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal installmants, with interest at the rate of six per cent per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such monies as shall have been actually received by the City from the assessments for such improvement, or such monies as said City is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted this 18th day of April, 1973.

BOARD OF PUBLIC WORKS

J. M. Boswell

Ronald L. Bonar

____

Imperial House Motel

Washington Center Road

AGREEMENT

73 08532

This Agreement made this 22nd day of March, 1973 by and Between Stonehaven, Inc., an Ohio Corporation and The Brex Corporation, an Indiana Corporation, hereinafter referred to as "Developer" and the City of Fort Wayne, Indiana, an Indiana Municipal Corporation, hereinafter referred to as "City",

Witnesseth, Whereas the Developer is the owner of the following described premises:

1973 APR 13 PM 4 08

ALLEN COUNTY RECORDER

> Part of the Northeast Quarter of Section 22, Township 31 North, Range 12 East, lying North of Interstate Highway No. 69 situated in Allen County, Indiana, as by metes & bounds described as follows, to-wit:
>
> Commence at the Northeast corner of the Northeast Quarter of said Section 22; thence South on the East line of said Quarter Section, a distance of 762.3 feet to a point in the North right-of-way line of Line N.E.C. per State Highway Plans (Project 69-4 (3) 109 1959), said point being situated 55 feet radially distant Northward of said Line N.E.C.; thence Northwesterly along said right-of-way line and introrsely concentric to a 8 degree 00 minute N.E.C. Line curve to the right, a distance of 361.9 feet to a point of tangent, said point of tangent situated on a chord deflection to the right of 109 degrees 39 minutes from the East line of said Quarter Section produced South and at a chord distance of 358.2 feet; thence Northwesterly along said right-of-way tangent, parallel to and 55 feet normally distant Northeastward of said Line N.E.C., a distance of 172.0 feet to a point of curve; thence Northwesterly along said right-of-way, extrorsely concentric to a 14 degree 00 minutes N.E.C. Line curve to the left, a distance of 254.1 feet to a point situated 715.0 feet normally distant Westward of the East line of the Northeast Quarter of said Section 22; thence North and parallel to the East line of said Quarter Section, a distance of 476.0 feet to the North line of the Northeast Quarter of said Section 22; thence East along the line aforesaid, a distance of 715.0 feet to the place of beginning, and

Whereas, Developer is desirous of constructing a motel on the above described premises, and

Whereas, the Developer is required by the City to construct a storm water retention pond on the above described premises, and

Whereas, the Developer has agreed to construct said storm water retention pond and to provide perpetual maintenance for the said storm water retention pond.

Bd of Wks

6 50

Now, Therefor, in consideration of the foregoing and the mutual covenants and agreements set forth, the parties hereto agree as follows:

1. The Developer will construct or cause to be constructed the storm water retention pond in accordance with the plans prepared by Strauss Associates, Inc. dated ____________, and approved by the City. Construction of the storm water retention pond shall be upon the southeast corner of the above described premises, said southeast corner being described in Exhibit "A" which is attached hereto and made a part hereof.

2. In as much as a retention pond is an unusual element of a storm drainage system, Developer agrees that they will provide perpetual maintenance of said pond at their cost.

3. The Developer assumes all responsibility for the maintenance and operation of said retention pond and hereby guarantees said maintenance and agrees to save the City harmless from any liability therefrom.

4. The City agrees that at such time as the pond is no longer necessary for the retention of storm water, that this agreement shall automatically terminate and that the City will execute a recordable document evidencing such termination at the request of the Developer.

This agreement is accepted as a covenant which shall run with the above described premises and all rights hereto shall be binding upon the parties hereto their successors and assigns.

In Witness Whereof, the parties have subscribed this agreement this 22nd day of March, 1973.

Signed in the Presence of:

Dave M Ulrich

James R.

STONEHAVEN, INC.

By William D Apple

William D. Apple, President

Dave M. Ulrich

James R.

THE BREX CORPORATION

BY Caroline McCabe

Caroline Mc Cabe

Assistant Secretary

CITY OF FORT WAYNE, INDIANA

BY ____________

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

J D Boswell
Dr. Jerry D. Boswell, Chairman

Ronald L Bonar
Ronald L. Bonar, Member

William G. Williams, Member

ATTEST: Edna L. Smith
Clerk

Approved for form and legality:

Associate City Attorney

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Jerry D. Boswell, Ronald L. Bonar and ~~William G. Williams~~, Chairman and Members of the Board of Public Works, and Edna Smith, Clerk of said Board of Public Works of the City of Fort Wayne, and acknowledged the execution of the foregoing agreement for and on behalf of said Board and by its authority.

Witness my hand and Official Seal this 12th day of April, 1973.

Anne J. Fox
Notary Public

My Commission Expires:
March 6, 1976

This instrument prepared by: Frank Albright
State of Ohio

STATE OF OHIO)
)SS:
COUNTY OF MONTGOMERY)

Before me, a Notary Public in and for said County, personally appeared the above named The Brex Corporation, and Indiana Corporation, by Caroline McCabe, Assistant Secretary who acknowledged that she, being thereunto duly authorized, did sign the foregoing instrument and that the same is her free act and deed personally and as such officer, and the free act and deed of said Corporation.

In Testimony Whereof, I have hereunto affixed my name and official seal at Dayton, Ohio this 22nd day of March, 1973.

Peggy J. Kersey
Notary Public
PEGGY J. KERSEY, Notary Public
In and for Montgomery County, Ohio

STATE OF OHIO)
)SS:
COUNTY OF MONTGOMERY)

Before me, a Notary Public in and for said County, personally appeared the above named Stonehaven, Inc., an Ohio Corporation, by William D. Apple, its President, who acknowledged that he, being thereunto duly authorized, did sign the foregoing instrument and that the same is his free act and deed personally and as such officer and the free act and deed of said Corporation.

In Testimony Whereof, I have hereunto affixed my name and official seal at Dayton, Ohio this 22nd day of March, 1973.

Peggy J. Kersey
Notary Public
PEGGY J. KERSEY, Notary Public
In and for Montgomery County, Ohio
My Commission Expires Nov. 23, 1975

JOHN R. DONOVAN, P. E.
CIVIL ENGR. & LAND SURVEYOR
5408 VANCE AVENUE
FORT WAYNE, INDIANA 46805
PHONE 483-3313

EXHIBIT A

LEGAL DESCRIPTION FOR RETENTION POND FOR PROPOSED IMPERIAL HOUSE MOTEL ON WASHINGTON CENTER ROAD, FORT WAYNE, IND.

Part of the Northeast Quarter of Section 22, Township 31 North, Range 12 East lying N of I-69 situated in Allen County, Indiana, as by metes and bounds described as follows:

Beginning at a point on the east line of the NE¼ of Sec. 22, T31N, R12E, said point being 512.3 feet south of the northeast corner of the NE¼ of Sec. 22-31-12; thence south along the said east line of the NE¼ of Sec. 22-31-12 a distance of 250 feet to a point in the north right of way line of Line N.E.C. per State Highway Plans (Project 69-4(3) 109 1959), said point being situated 55 feet radially distance Northward of said Line N.E.C.; thence NWly along said right of way line and introrsely concentric to a 8 degr. 00 min. N.E.C. line curve to the right, a distance of 361.9 feet to a point of tangent, said point of tangent situated on a chord deflection to the right 109 degr. 39 min. from the E line of said ¼ section produced S and at a chord distance of 358.2 feet; thence NWly along said right of way tangent, parallel to and 55 feet normally distant Northeastward of said Line N.E.C. a distance of 172.0 feet to a point of curve; thence NWly along said right of way and along a curve to the left having a radius of 464.25 feet a distance of 67 feet; thence easterly a distance of 534.21 feet to the point of beginning, containing 1.90 acres.

3-23-73

59-146-11 H.T.
2/26/73

BOARD OF PUBLIC WOR
RECEIVED
FEB 13 1973

WESTENHOFF AND NOVICK, INC.
Consulting Engineers
222 WEST ADAMS STREET
CHICAGO, ILLINOIS 60606

AREA CODE 312
TELEPHONE 263-0114
CABLE: WESTENG, CHICAGO

A. M. WESTENHOFF
1892-1963
D. NOVICK
R. H. WENGENROTH
C. F. MAY
H. S. NEWMAN
R. A. PFUNDSTEIN
J. J. POWERS
A. W. OSTERLING
H. A. MIX
J. F. MARSH
S. SCHUMACHER
B. F. SVOBODA
W. F. TRACHSEL
R. A. SODERBERG
D. A. KOHN, C. P. A.

R-19-73

February 9, 1973

Proposal for Professional Services
Wells Street Corridor Feasibility Study
Fort Wayne, Indiana

Mr. Ronald L. Bonar, City Engineer
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Dear Mr. Bonar:

In accordance with your letter of November 17, 1972 and our subsequent discussions, we are pleased to submit our proposal for professional services for a feasibility study of the Wells Street Corridor improvement.

Westenhoff and Novick, Inc. proposes to examine the feasibility of constructing the Wells Street Corridor improvement through the development of alternative multi-lane, modern design type, arterial street alignments. At least three alignments shall be investigated:

1. Cortland - Wells Street Corridor, as suggested by the Master Transportation Plan.
2. Improvement and widening of Wells Street itself.
3. Construction of a multi-lane facility on the existing Penn Central right-of-way from a new bridge north to Northrup Street.

As the work proceeds, other alignments may be suggested and shall be studied for a maximum total of five alignments in all.

W N
CHICAGO, ILL. NEW YORK, N. Y. WASHINGTON, D. C. SAO PAULO, BRAZIL

The study area, for the purpose of this proposal, shall extend from one-quarter mile north of Coliseum Boulevard West to one-quarter mile south of St. Marys River approximately along Wells Street a distance of almost three miles. The east-west width of the study area shall be approximately one mile centered on Wells Street. Reference is made to the attached map outlining the study area.

It is the intent of this proposal that the work develop plans only to the extent required to assure feasibility. Included in the work for the various alternative alignments are the following:

* Preparation of preliminary alternative alignments.
* Preparation of preliminary alternative plans for maintenance of railroad traffic for that alternative which utilizes the Penn Central Railroad right-of-way.
* Preliminary analyses of geometric traffic requirements for the alternative alignments.
* Community impact based on preliminary dislocation estimates of population, employment, housing,utilities, industry and business.
* Preliminary construction and right-of-way cost estimates.
* Preliminary testing, evaluation and ranking of the alternative alignments.
* A final report summarizing the results of the feasibility study.

The final report submitted will include the best one or two alternative routes superimposed on reduced scale reproducible topographical maps. We have reviewed the available mapping provided by the City and concur that it will provide a background satisfactory for the project. The maps are based on 1956 and 1966 photography and may require updating. In addition, the maps cover only three-fourths of the study area and the remaining portion should be secured.

It is the intent of this proposal that economy be achieved in the performance of the work. For that purpose, the City of Fort Wayne is to provide professional and technical assistance in the collection and preparation of planning data for the work covered under this proposal and shall provide necessary updated mapping of the study area at the required scale. It is understood that such assistance will be provided at no cost to Westenhoff and Novick, Inc.

The professional services provided by Westenhoff and Novick, Inc. will be performed within three months after completion of data collection by the City, exclusive of the time required for review by the City of Fort Wayne, the Penn Central Transportation Company or the various regional agencies.

It is proposed that the basis of payment under this agreement be in accordance with the attached Table of Rates for the various professional and technical classifications for the actual number of hours expended plus reimbursable costs incurred at the rates shown on the attached Table of Rates. The maximum fee for the work covered by this proposal, exclusive of reimbursable costs, is estimated to be $14,600.00. This amount will not be exceeded without the approval of the City of Fort Wayne. The estimated cost of reimbursable expenses is $2,800.00. The estimated costs reflect the available data and the contribution of your staff.

Should the City of Fort Wayne elect to continue the development of subsequent phases of the Wells Street Corridor project utilizing the services of Westenhoff and Novick, Inc., the professional fees received under this agreement will be credited as a deduction from the full fee for the subsequent phases.

The background knowledge gained from our studies for the Crosstown route have enabled this proposal to be more comprehensive at significantly lower cost to the City.

Any controversy or claim arising out of or relating to this agreement, or the breach thereof, shall be settled by arbitration in accordance with the Rules of the American Arbitration Association, and judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

If this proposal is satisfactory, please sign and return one copy for our records. We greatly appreciate the opportunity to submit this proposal and look forward to the further association with the City of Fort Wayne.

Very truly yours,

WESTENHOFF AND NOVICK, INC.

David Novick

DN:J

Enclosures

ACCEPTED:

CITY OF FORT WAYNE

By J. W. Boswell

Title Chairman, Board of Public Works

Date Feb. 21, 1973

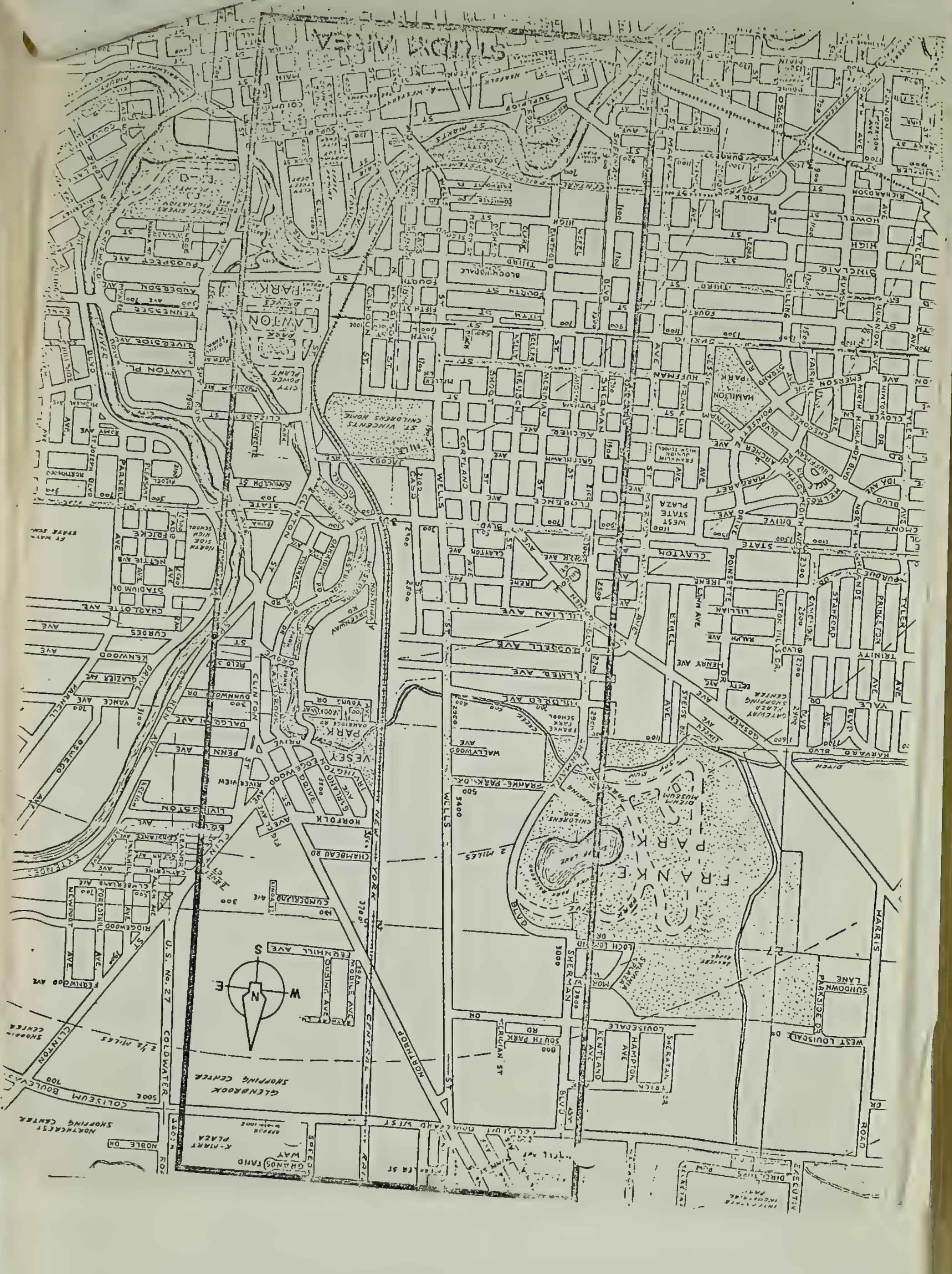
FRANKE PARK
LAWTON PARK
VESEY PARK
HAMILTON PARK
ST. VINCENTS CHILDRENS HOME
CITY POWER PLANT
NORTH SIDE HIGH SCHOOL
FRANKLIN JUNIOR HIGH SCHOOL
FRANKE PARK SCHOOL
CHILDRENS ZOO
WEST STATE PLAZA
GATEWAY PLAZA SHOPPING CENTER
GLENBROOK SHOPPING CENTER
NORTHCREST SHOPPING CENTER
K-MART PLAZA
COLISEUM BOULEVARD
U.S. No. 27
COLDWATER
CLINTON
WELLS
SHERMAN
SPY RUN
NEW YORK
NORTHROP
HARRIS
ROAD
STATE
CLAYTON
LILLIAN AVE
RUSSELL AVE
ELMER AVE
MILDRED AVE
WALLYWOOD AVE
CENTRAL
KENWOOD
OSWEGO
VANCE
FERNHILL AVE
WEST LOUISDALE DR
SUNDOWN LANE
PARKSIDE DR
2 MILES
2 1/2 MILES
S
E
N
W

TABLE OF RATES

FOR ENGINEERING SERVICES

Classification	Basic Rate Per Hour	Overtime Rate Per Hour
Officer	$30.00	$30.00
Senior Associate or Associate	25.75	25.75
Associate Engineer	23.00	23.00
Principal Engineer	20.50	20.50
Senior Engineer	17.00	17.00
Engineer	14.25	14.25
Senior Draftsman, Senior Technician	13.25	16.00
Junior Engineer, Technician or Draftsman	11.25	14.00
Junior Technician or Junior Draftsman	8.00	10.25
Direct Preparation and Testimony before Courts of Law, and all Government Commissions and Agencies:		
Officer and Associate	50.00	50.00
Other Professional Classifications	25.00	25.00

Electronic computer services will be billed at direct cost + 10%.

The following items will be billed at actual cost: Travel and subsistence, long distance telephone, equipment rental, expendable supplies, reproduction and printing. Mileage will be billed at $0.12 per mile plus toll and parking fees.

SIDEWALK IMPROVEMENT RESOLUTION

No. 5632-1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to construct sidewalk on west side of Calhoun Street

from the north curb line of Tillman Road

to the south curb line of Concord Lane

except where sidewalk is now in place

to a width of five (5) feet

all in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

~~The cost of said improvement~~ A maximum cost of $4.50 per front foot shall be assessed upon the real estate abutting on said Calhoun Street as above described and the balance of the total cost upon the City of Fort Wayne, Indiana, if the said city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five~~ six per cent. per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the City from the assessments for such improvement, or such moneys as said City is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 12th day of April, 1973

BOARD OF PUBLIC WORKS:

CALHOUN PRESS

Irene Linehart
ALLEN COUNTY RECORDER

1973 APR 12 AM 9 16

Special Ordinance S-41-73

73 08303

AGREEMENT

FOR

SEWER EXTENSION

THIS AGREEMENT, made in triplicate form this *10th* day of *April*, 1973, by and between JEWEL BUILDERS, INC., a Delaware Corporation authorized to do business in the State of Indiana, hereinafter referred to as "DEVELOPER" and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the Developer desires to construct a sanitary sewer described as follows:

Main Sewer

Commencing at an existing 10-inch sanitary line in the East right of way of Hobson Road and 38 ± feet North of the centerline of proposed Timberhill Drive in Woodview Manor; thence, Eastwardly in and along a proposed 20 foot utility easement 510 ± feet to proposed Manhole #3; thence, in a Northeasterly direction a distance of 235 ± feet to Manhole #4 and the intersection of Mayberry Street; thence, Easterly in and along a 30 foot proposed utility easement a distance of 255 ± feet to proposed Manhole #5; thence, Northeasterly a distance of 148 ± feet to Manhole #6; thence, Northerly in and along a proposed 20 foot easement West of the right of way line of Roseview Road a distance of 522 ± feet to Manhole #8; thence, Northeasterly in and along said proposed easement a distance of 120 ± feet terminating at proposed Manhole #9.

Lateral #1

Commencing at proposed Manhole #2 on the above mentioned main sanitary sewer; thence, Northerly in and along a proposed 14 foot utility easement a distance of 300 ± feet to Manhole #1-1; thence, Easterly in and along a 14 foot proposed easement a distance of 147 ± feet terminating at a proposed cleanout.

Lateral #2

Commencing at the proposed Manhole #5 on the above mentioned main sanitary sewer; thence, Southeasterly in and along a proposed 14 foot utility easement a distance of 223 ± feet terminating at proposed Manhole #2-1.

Said sewers to be 8 inches in diameter.

in accordance with plans, specifications and profiles heretofore submitted to the City and now on file in the office of the Chief Engineer of the Water Pollution Control Engineering Department of the City, and known as the Woodview Manor Sanitary Sewer System, Board Order # 87-72, which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the Developer has an interest, but also adjoining land areas.

WHEREAS, the cost of the construction of said sewer is represented to be $25,600.00.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SANITARY SEWER

The Developer shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the City, under private contract to be let within sixty (60) days after requisite City approval. All work and materials shall be subject to inspection by City and the right of City to halt construction if there shall be noncompliance therewith. Said sewer shall not be deemed permanently connected into the sewer system of City until final acceptance by City. Upon completion, said sewer shall become the property of City and City shall accept sewage therefrom, subject to such sewage service charges as may now or hereafter be regularly established by City, and all further maintenance thereafter shall be borne by City.

2. COST OF CONSTRUCTION

The Developer agrees to pay the entire cost and expense of construction of said sewer, in cash, including City engineering and inspection fees, and to hold the City harmless from any liability for claims connected therewith.

3. AREA OF OWNER

Said sewer, when accepted by the City, will serve the following described real estate:

Situated in the County of Allen, State of Indiana and in the Township of St. Joseph, and bounded and described as follows:

Commencing at the southwest corner of the northwest quarter of Section Number 29, Township 31 North, Range 13 East Allen County, Indiana, thence on an assumed bearing of North 00 degrees 00 minutes 00 seconds East 1318.70 feet along the center-line of Hobson Road, to a point on the north line of Sanibel Acres Addition as projected in a westerly direction, said point also being the southwest corner of the northwest quarter of the northwest quarter of said section 29, thence North 89 degrees 56 minutes 42 seconds East 40.0 feet to a point on the east right of way of Hobson Road, said point being the point of beginning, and being on the south line of the said northwest quarter of the northwest quarter of said section 29, said line being also the north line of the said Sanibel Acres Addition, thence North 00 degrees 00 minutes 00 seconds East 501.00 feet along the east right of way of Hobson Road thence North 89 degrees 57 minutes 00 seconds East 883.00 feet, thence North 00 degrees 00 minutes 00 seconds East 533.20 feet thence South 89 degrees 48 minutes 24 seconds East 147.00 feet, thence North 00 degrees 01 minutes 24 seconds East 256.00 feet to a point on the south right of way line of Stellhorn Road (State Road Number 37), thence South 89 degrees 49 minutes 00 seconds East 250.70 feet along the south right of way of Stellhorn Road (State Road Number 37), thence South 00 degrees 02 minutes 00 seconds West 1288.95 feet, thence South 89 degrees 56 minutes 42 seconds West 1280.10 feet along the south line of the said northwest quarter of the northwest quarter of said Section 29, to the point of beginning, containing 21.068 acres; according to a survey thereof dated March 21, 1972, by Keith E. Moody, registered Land Surveyor.

As the Developer will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard tap-in, inspection fees and monthly sewage treatment charges as are customarily charged by the City for connections to City sewer mains and treatment of sewage therefrom.

4. AREA CHARGE

An area connection charge of $400.00 per acre has been paid by Developer to the City. This area charge is in addition to the local charge as set forth above, and represents the oversizing cost expended by the City for the St. Joe Interceptor Sewers. Local connection charges, as per Instrument 72-01812, have also been satisfied prior to connection.

5. BOND

This contract is subject to Developer or contractor furnishing a satisfactory Performance and Guarantee Bond for the full value of the sewer, which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the City.

6. LIMITATION ON USE

Said sewer shall be constructed for disposal of sanitary sewage only and neither the parties hereto, their successors, or assigns, or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said sanitary sewer, any water runoff caused by natural precipitation or anything other than sanitary sewage or contaminated waste.

7. WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION

The Developer, for itself, its successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of any territory now or hereafter owned by it, as described in Article 3 herein, or hereafter served by said sewer or any extension thereof.

In further consideration and to induce City to execute and ratify this contract, said Developer, for itself, its successors and assigns, agrees by this contract to vest in City the permanent right at its discretion to annex to the City of Fort Wayne at any future time by duly authorized ordinance the said real estate described in Article 3 herein.

Developer further agrees that any deeds, contracts, or other instruments of conveyance made by the Developer, its successors or assigns transferring or conveying any interest or title in and to any of the real estate described in Article 3 herein, shall contain the waiver and release provisions contained in this article, which provisions shall run with the land and the acceptance of the delivery of any such instrument from the Developer, its successors and assigns by any grantee, vendee, or contract purchaser and their successors in title.

The Developer further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of City as hereinafter provided.

Any owner or owners of land which is now, or hereafter located outside the corporate limits of City who connect into the sewer constructed hereunder, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said sewer.

8. GOVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1968 Supple., Sections 48-3963, 3964 and 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

9. COUNCILMANIC APPROVAL

It is understood and agreed that this contract is in all respects subject to approval by the Common Council of City, by duly adopted Ordinance, and if such Ordinance is not adopted within a period ninety (90) days after execution hereof, this contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER: JEWEL BUILDERS, INC.

BY: Thomas J Elliott
Thomas J. Elliott, Exec. Vice Pres.

BY: Ellis F. Mayhew
Ellis F. Mayhew, Assistant Secretary

CITY OF FORT WAYNE, INDIANA

BY: Ivan A. Lebamoff
Ivan A. Lebamoff, Mayor

BOARD OF PUBLIC WORKS

BY: J. D. Boswell
Jerry D. Boswell, Chairman

BY: Ronald L Bonar
Ronald L. Bonar, Member

BY:
William G. Williams, Member

ATTEST:
Edna L. Smith
Clerk

Approved as to form and legality:

Associate City Attorney

STATE OF OHIO)
)SS:
COUNTY OF FRANKLIN)

Before me, a Notary Public in and for said State and County, this 21st day of March 1973, personally appeared Thomas J.Elliott,Exec.V.P.,and Ellis F. Mayhew, Asst. Secy. of Jewel Builders, Inc, known to me to be the same, who acknowledged that they executed the foregoing agreement as their free act and deed and as the free act and deed of Jewel Builders, Inc., by virtue of proper authority vested in them by the Board of Directors of said Corporation, for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Columbus, Ohio the day and year last above written.

NOTARY PUBLIC
ROBERT E. ALBRIGHT, Attorney-At-Law
NOTARY PUBLIC — STATE OF OHIO
My Commission has no expiration date.
Section 147.03 R. C.

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Ivan A. Lebamoff, Mayor, and acknowledged the execution of the foregoing agreement for and on behalf of the City of Fort Wayne, Indiana, and by its authority, and personally appeared the within named Jerry D. Boswell, Chairman, Ronald L.Bonar,Member, ~~William G. Williams, Member~~, and Edna Smith, Clerk of said Board of Public Works of the City of Fort Wayne, and acknowledged the execution of the foregoing agreement for and on behalf of said Board and by its authority.

Witness my hand and Official Seal this 10th day of April, 1973.

Anne J. Fox

My Commission Expires:
March 6, 1976

This Instrument prepared by Philip R. Boller, Chief Water Pollution Control Engineer, City of Fort Wayne, Indiana.

AGREEMENT

THIS AGREEMENT, made in triplicate form this 10th day of April, 1973, by and between WOODVIEW MANOR ASSOCIATES, an Indiana limited partnership, of 3497 East Livingston Avenue, Columbus, Ohio, 43227, hereinafter referred to as "Owner", and the CITY OF FORT WAYNE, INDIANA, an Indiana municipal corporation, hereinafter referred to as "City",

WITNESSETH:

WHEREAS, City has entered into an Agreement for Sewer Extension with Jewel Builders, Inc., a Delaware corporation authorized to do business in the State of Indiana, hereinafter referred to as "Developer", for the construction by Developer of a sanitary sewer over the following described premises of Owner situated in the County of Allen, State of Indiana and in the Township of St. Joseph, and bounded and described as follows:

Commencing at the southwest corner of the northwest quarter of Section Number 29, Township 31 North, Range 13 East Allen County, Indiana, thence on an assumed bearing of North 00 degrees 00 minutes 00 seconds East 1318.70 feet along the center-line of Hobson Road, to a point on the north line of Sanibel Acres Addition as projected in a westerly direction, said point also being the southwest corner of the northwest quarter of the northwest quarter of said section 29, thence North 89 degrees 56 minutes 42 seconds East 40.0 feet to a point on the east right of way of Hobson Road, said point being the point of beginning, and being on the south line of the said northwest quarter of the northwest quarter of said section 29, said line being also the north line of the said Sanibel Acres Addition, thence North 00 degrees 00 minutes 00 seconds East 501.00 feet along the east right of way of Hobson Road thence North 89 degrees 57 minutes 00 seconds East 883.00 feet, thence North 00 degrees 00 minutes 00 seconds East 533.20 feet thence South 89 degrees 48 minutes 24 seconds East 147.00 feet, thence North 00 degrees 01 minutes 24 seconds East 256.00 feet to a point on the south right of way line of Stellhorn Road (State Road Number 37), thence South 89 degrees 49 minutes 00 seconds East 250.70 feet along the south right of way of Stellhorn Road (State Road Number 37), thence South 00 degrees 02 minutes 00 seconds West 1288.95 feet, thence South 89 degrees 56 minutes 42 seconds West 1280.10 feet along the south line of the said northwest quarter of the northwest quarter of said Section 29, to the point of beginning, containing 21.068 acres; according to a survey thereof dated March 21, 1972, by Keith E. Moody, registered Land Surveyor.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants hereinafter set forth, the parties hereto hereby agree as follows:

1. AREA OF OWNER

(A) Said sewer, when accepted by the City, will serve the hereinabove described real estate. As the Developer will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer to the present or future owners of said real estate except only as to such standard tap-in, inspection fees and monthly sewage treatment charges as are customarily charged by the City for connections to City sewer mains and treatment of sewage therefrom.

2. WAIVER OR RIGHT TO REMONSTRATE AGAINST ANNEXATION

(A) The Owner, for itself, its successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of any territory now or hereafter owned by it, as hereinabove described, or hereafter served by said sewer or any extension thereof.

(B) In further consideration and to induce City to execute and ratify this contract, said Owner, for itself, its successors and assigns, agrees by this contract to vest in City the permanent right at its discretion to annex to the City of Fort Wayne at any future time by duly authorized ordinance the said real estate hereinabove described.

(C) Owner further agrees that any deeds, contracts, or other instruments of conveyance made by the Owner, its successors or assigns transferring or conveying any interest or title in and to any of the real estate hereinabove described shall contain the waiver and release provisions set forth in this Article 2, which provisions shall run with the land and the acceptance of the delivery of any such instrument from the Owner, its successors and assigns by any grantee, vendee, or contract purchaser and their successors in title.

(D) The Owner further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of City as hereinafter provided.

(E) Any owner or owners of land which is now, or hereafter located outside the corporate limits of City who connect into the sewer constructed under the aforesaid Agreement for Sewer Extension shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said sewer.

3. GOVERNING STATUTE

(A) It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1968 Supple., Sections 48-3963, 3964 and 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

4. COUNCILMANIC APPROVAL

(A) It is understood and agreed that this contract is in all respects subject to approval by the Common Council of City, by duly adopted Ordinance, and if such Ordinance is not adopted within a period ninety (90) days after execution hereof, this contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

OWNER: WOODVIEW MANOR ASSOCIATES
BY: FORT WAYNE WOODVIEW MANOR
CORPORATION, General Partner

By: Donald R Wick
Donald R. Wick, Vice Pres.

By:
Eugene Van Keuren, Asst. Secy.

CITY OF FORT WAYNE, INDIANA

By: Ivan A. Lebamoff
Ivan A. Lebamoff, Mayor

BOARD OF PUBLIC WORKS

By: J. D. Boswell
Jerry D. Boswell, Chairman

By: Ronald L. Bonar
Ronald L. Bonar, Member

By: ____________________
William G. Williams, Member

ATTEST:

Edna L. Smith
Clerk

Approved as to form and legality:

____
Associate City Attorney

STATE OF OHIO
COUNTY OF FRANKLIN, ss:

BEFORE ME, the undersigned, a Notary Public in and for said county, personally appeared Donald R. Wick and Eugene Van Keuren, the Vice President and Assistant Secretary, respectively, of Fort Wayne Woodview Manor Corporation, an Illinois corporation authorized to do business in the State of Indiana, the General Partner of Woodview Manor Associates, the Indiana limited partnership which executed the foregoing instrument, signed the same and acknowledged to me that they did so sign said instrument in the name and on behalf of said corporation as such officers and on behalf of said Indiana limited partnership, that the same is their free act and deed as such officers, for and as the act and deed of said corporation, and the free act and deed of said Indiana limited partnership; and that they were duly authorized thereunto by the Board of Directors of said corporation and the partnership agreement of said Indiana limited partnership.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Columbus, in said County, State of Ohio, this 28th day of March, 1973.

____
Notary Public

ROBERT E. ALBRIGHT, Attorney-At-Law
NOTARY PUBLIC — STATE OF OHIO
My Commission has no expiration date.
Section 147.03 R. C.

STATE OF INDIANA
COUNTY OF ALLEN, ss:

BEFORE ME, the undersigned, a Notary Public in and for said county and state, personally appeared the within named Ivan A. Lebamoff, Mayor, and acknowledged the execution of the foregoing agreement for and on behalf of the City of Fort Wayne, Indiana, and by its authority; and personally appeared Jerry D. Boswell, Chairman, Ronald L. Bonar, Member, ~~William G. Williams,~~ Member, and Edna Smith, Clerk of said Board of Public Works of the City of Fort Wayne, and acknowledged the execution of the foregoing agreement for and on behalf of said Board and by its authority.

Witness my hand and Official Seal this 16th day of April, 1973.

Anne J. Fox

My Commission Expires:
March 6, 1976

This Instrument Prepared By
Robert E. Albright
Attorney at Law
42 East Gay Street
Columbus, Ohio 43215

Wallace Substation H.I

73-6501

AGREEMENT BETWEEN THE CITY OF FORT WAYNE DEPARTMENT OF REDEVELOPMENT AND THE CITY OF FORT WAYNE, COUNTY OF ALLEN, STATE OF INDIANA

THIS AGREEMENT (hereinafter called the "Agreement") made on or as of the 15th day of March, 1973, by and between the City of Fort Wayne, Department of Redevelopment (hereinafter called the "Agency") having its offices in the City-County Building in the City of Fort Wayne, Allen County, Indiana, and the City of Fort Wayne (hereinafter called the "City") having its offices in the City-County Building in the City of Fort Wayne, Allen County, Indiana, WITNESSETH THAT:

WHEREAS, in furtherance of the objectives of Redevelopment of Cities and Towns Act of 1953 of the State of Indiana, the Agency has undertaken a program for the clearance and reconstruction or rehabilitation of slum and blighted areas of Fort Wayne, Indiana (hereinafter called the "City") and in this connection is engaged in carrying out an urban renewal project known as the "Hanna-Creighton Project, Ind. R-51, Fort Wayne, Indiana" (hereinafter called the "Project") in an area (hereinafter called the "Project Area" located in said City, and

WHEREAS, as of the date of the Agreement there has been prepared and approved by the Agency an urban renewal plan for the Project consisting of the Urban Renewal Plan dated February 20, 1964, approved by the City Council on the 27th day of October, 1964 by Resolution No. 64-10-27 which plan was amended on April 29, 1970, approved by the City Council on the 25th day of May, 1970, which plan as it may hereafter be amended from time to time pursuant to law and as so constituted from time to time it is (unless otherwise indicated by the context, hereinafter called "Urban Renewal Plan"); and a copy of the Urban Renewal Plan, as constituted on the date of the Agreement, is on file in the office of the Agency, and recorded in Miscellaneous Record 284, pages 235 to 244 and said amendment is recorded as Document 70-16956 of the records in the office of the Recorder of Allen County, Indiana.

Redevelopment Box

Instrument G 451 730

WHEREAS, in order to enable the Agency to achieve the objectives of the Urban Renewal Plan, and particularly to make land in the Project Area available (after acquisition and clearance by the Agency) for redevelopment by a public entity for and in accordance with the uses specified in the Urban Renewal Plan, both the Federal Government and the City have undertaken to provide and have provided substantial aid and assistance to the Agency through a Contract for a Loan and Capital Grant dated September 10, 1965, in the case of the Federal Government.

NOW, THEREFORE, each of the parties hereto and in consideration of the premises and mutual obligations herein, does hereby covenant and agree with the other, as follows:

ARTICLE I

GENERAL TERMS OF CONVEYANCE OF PROPERTY

Section 1. Sale and Purchase Price. Subject to all the terms, covenants, and conditions of the Agreement, the Agency will sell certain real property in the Project Area more particular described in Schedule "A" annexed hereto and made a part hereof (which property, as so described, is hereinafter called "Property"), to the City for and the City will purchase the Property and pay to the Agency therefor, the amount of Twenty One Thousand Nine Hundred Three Dollars and Fifty Cents ($21,903.50). The Purchase Price shall be paid in cash or by check, at the time and place provided herein.

Section 2. Conveyance. The Agency shall convey to the City, upon payment in full of the Purchase Price by the City, title to the Property by deed (hereinafter called the "City's Deed"). Such conveyance, in addition to all other conditions, covenants and restrictions set forth or referred to elsewhere in the Agreement shall be subject to: the building code, zoning ordinances, Urban Renewal Plan, and all other ordinances of the City of Fort Wayne, and all applicable laws of the State of Indiana.

Section 3. Delivery of Deed. The Agency shall deliver the City's Deed and possession of the Property to the City on March 20 1973 or on such earlier date as the parties hereto may mutually agree in writing. Conveyance shall be made at such place within the City of Fort Wayne, Indiana as the City shall in writing direct and the City shall accept such conveyance and pay to the Agency at such time and place the Purchase Price.

ARTICLE II

PREPARATION OF PROPERTY FOR REDEVELOPMENT

Section 1. Preparation of Property. The Agency shall, prior to conveyance of the Property and without expense to the City, prepare the Property for redevelopment, which preparation shall consist of the following: (a) removal of all existing structures, (b) elimination of all easements and removal of all utility lines such as sewer and water mains, gas mains, electric and telephone poles, lines and equipment, (c) vacation of streets and alleys within the Property to be conveyed, all to the extent directed in writing by the City prior to the delivery of the City's deed.

ARTICLE III

CONSTRUCTION OF IMPROVEMENTS

Section I. Construction Required. The City shall redevelop the Property by construction thereon of an electric sub-station and all plans and all work by the City with respect to such redevelopment of the Property and the construction or the making of other improvements thereon, if any, shall be in conformity with the Urban Renewal Plan, the Agreement, and all applicable State and local laws. Upon written request of the Agency from time to time, the City will deliver to the Agency, to be retained by the Agency, plans with respect to the Improvements to be constructed or otherwise made by the City on the Property, in sufficient completeness and detail to show that the Improvements and construction thereof will be in accordance with the provisions of the Urban Renewal Plan and the Agreement.

Section 2. Time for Construction. The City agrees for itself, its successors and assigns, and every sucessor in interest to the Property to be

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Instrument G 451 750

conveyed to the City, or any part thereof, and the City's Deed shall contain covenants on the part of the City for itself and such successors and assigns, that the City shall begin redevelopment of the Property through construction of the Improvements thereon, within twelve months from the date of the Deed, and diligently proceed to complete such construction within twelve months from such date. It is intended and agreed, and the Deed shall so expressly provide, that the agreements and covenants of the Agreement pertaining to the Improvements shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically provided in the Agreement, be, to the fullest extent permitted by law and equity, binding for the benefit of the community and the Agency and enforceable by the Agency against the City with respect to the Property conveyed to it, its successors and assigns, and every successor in interest to the Property, or any part thereof or any interest therein.

Section 3. Report on Progress. Subsequent to conveyance of the Property or any part thereof to the City, and until construction of the Improvements has been completed, the City shall, upon written request of the Agency, make, in such detail as may reasonably be required by the Agency, and forward to the Agency a report in writing as to the actual progress of the City with respect to such construction. During such period, the work of the City shall be subject to inspection by the Agency and its duly authorized representatives.

Section 4. Access to Property. Prior to delivery of possession of the Property to the City, the Agency shall permit the City access thereto, whenever and to the extent necessary to carry out the proposes of this and other sections or provisions of the Agreement; and, subsequent to such delivery, the City shall permit access to the Property by the Agency whenever and to the extent necessary to carry out the purposes of this and other sections or provisions of the Agreement.

Redevelopment Box

Instrument G 451 7.50

Section 5. Certificate of Completion. Promptly after completion of the Improvements in accordance with the provisions of the Agreement, the Agency shall furnish the City with an appropriate instrument, so certifying. Such certification by the Agency shall be (and it shall be so provided in the Deed and in the certification itself) a conclusive determination of satisfaction and termination of the agreements and covenants in the Agreement and in the Deed with respect to the obligations of the City, its successors and assigns, and every successor in interest to the Property, to construct the Improvements and the dates for the beginning and completion thereof. All certifications provided for in this Section shall be in such form as will enable them to be recorded with the Clerk of the Registry of Deeds for the County of Allen, State of Indiana.

ARTICLE IV.

LAND USES

Section 1. Restrictions on Land Use. The City agrees for itself, its successors and assigns, and ever successor in interest to the Property, or any part thereof, and the Deed shall contain covenants on the part of the City for itself, and such successors and assigns, that the City, and such successors and assigns, shall:

(a) Devote the Property to, and only to and in accordance with, the uses specified in the Urban Renewal Plan, as the same may hereafter be amended or extended from time to time; and

(b) Not discriminate upon the basis of race, color, sex, religion or national origin in the sale, lease, or rental or in the use or occupancy of the Property or any improvements erected or to be erected thereon, or any part thereof.

Section 2. Effect of Covenants; Period of Duration. It is intended and agreed, and the Cities Deed shall so expressly provide, that the agreements and covenants provided in the Article IV shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically

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provided in the Agreement, be, to the fullest extent permitted by law and equity, binding for the benefit and in favor of, and enforceable by the Agency, its successors and assigns, and the United States (in the case of the covenant provided in subdivision (b) of Section 1 of this Article IV), against the City, its successors and assigns, and every successor in interest to the Property or any part thereof or any interest therein, and any party in possession or occupancy of the Property or any part thereof. It is further intended and agreed that the agreement and covenant provided (a) in subdivision (a) of Section 1 of this Article IV shall remain in effect until December 10, 2013 (at which time such agreement and covenant shall terminate), and (b) in subdivision (b) of such Section 1 shall remain in effect without limitation as to time.

Section 3. Enforceability by Agency and the United States. In amplification, and not in restriction, of the provisions of Section 2 of this Article IV, it is intended and agreed that the Agency shall be deemed a beneficiary of the agreements and covenants provided in Section 1 of this Article IV, and the United States shall be deemed a beneficiary of the covenant provided in subdivision (b) of such Section 1, both for and in their or its own right and also for the purposes of protecting the interests of the community and the other parties, public or private, in whose favor or for whose benefit such agreements and covenants have been provided. Such agreements and covenants shall (and the Deed shall so state) run in favor of the Agency and the United States for the entire period during which such agreements and covenants shall be in force, without regard to whether the Agency or the United States is or has been an owner of any land or interest therein to, or in favor of, which such agreements and covenants relate. The Agency shall have the right, in the event of any breach of the covenant provided in subdivision (b) of Section 1 of this Article IV, to exercise all the rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breach of agreement or covenant, to which it or any other beneficiaries of such agreement or covenant may be entitled.

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Instrument G 451 7.50

ARTICLE V.

PROHIBITIONS AGAINST ASSIGNMENT AND TRANSFER

Section 1. Representation as to Redevelopment. The City represents and agrees that its purchase of the Property shall be for the purpose of redevelopment of the Property in accordance with the Urban Renewal Plan and the Agreement.

Section 2. Prohibition Against Transfer of Property and Assignment. The City has not made or created, and will not, prior to the proper completion of the Improvements, as certified by the Agency, make or create, or suffer to be made or created, (a) any total or partial sale, conveyance, or lease of the Property, or any part thereof or interest therein, or (b) any assignment of the Agreement, or any part thereof, or (c) any agreement to do any of the foregoing, without the prior written approval of the Agency. Such approval shall be on such condition as the Agency may in its exclusive discretion determine, including, but not limited to, the assumption by the proposed transferee, by instrument in writing, for itself and its successors and assigns, and for the benefit of the Agency, of all obligations of the City under the agreement.

ARTICLE VI

REMEDIES

Section 1. Notice of Default. In the event of any default under or breach of any of the terms or conditions of the Agreement by any party hereto, or any successor or assign of, or successor in interest to any part thereto, such party or successor shall upon written notice from the other proceed to remedy such default or breach within 30 days after receipt of such notice. In case such action is not taken or diligently pursued or the default or breach shall not be cured or remedied within a reasonable time, the aggrieved party may institute such proceedings as may be necessary or desirable in its opinion to cure or remedy such default or breach or to obtain damages therefor, including but not limited to proceedings to compel specific performance by the party in default or breach of its obligations.

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Instrument G 451 750

Section 2. Termination by the City. In the event that the Agency does not tender conveyance of the Property or possession thereof in the manner and condition, and by the date provided in the agreement and any such failure shall not be cured within 120 days after written demand then the Agreement shall, at the option of the City, be terminated and neither the Agency nor the City shall have any further rights against or liability to the other under the Agreement.

Section 3. Termination by Agency. In the event that prior to the conveyance of the Property to the City and in violation of the Agreement, the City (and any successor in rights and interest) assigns or attempts to assign the Agreement or any rights herein or in the Property, or the City does not pay the Purchase Price for and take title to the Property upon proper tender of conveyance by the Agency pursuant to the Agreement, then the Agreement and any rights of the City or any successor or assign of the City or transferee of the Property under the Agreement or arising therefrom, with respect to the Agency, or the Property, shall at the option of the Agency be terminated by the Agency. In such event, except for the right of the Agency to damages for such breach afforded by law, neither the City (or transferee) nor the Agency shall have any further rights against or liability to the other under the Agreement.

Section 4. Delays Beyond Control of Parties. For the purposes of the Agreement, neither the Agency nor the City, as the case may be, nor any successor of either of them shall be considered in breach of or in default under its obligations with respect to the preparation of the Property for redevelopment, or the beginning and completion of construction of the Improvements, or progress in respect thereto, in the event of enforced delay in the performance of such obligations due to unforeseeable causes beyond its control and without its fault or negligence, including, but not restricted to, acts of God, acts of the public enemy, acts of the Government, acts of the other party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, or delays of subcontractors due to such causes; it being the purpose and intent of this provision that, in the event of the occurrence of any such enforced

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delay, the time or times for performance of the obligations of the Agency with respect to construction of the Improvements, as the case may be, shall be extended for the period of the enforced delay; provided, that the party seeking the benefit of the provisions of this Section shall, within 60 days after the beginning of any such enforced delay, have first notified the other party thereof in writing, and of the cause or causes thereof and requested an extension for the period of the enforced delay.

Section 5. Rights and Remedies Cumulative. The rights and remedies of the parties to the Agreement, whether provided by law or by the Agreement, shall be cumulative, and the exercise by either party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other such remedies for the same default or breach, by the other party. No waiver made by either party with respect to the performance, or manner or time thereof, or any obligation of the other party or any condition to its own obligation under the Agreement shall be considered a waiver of any rights of the party making the waiver with respect to the particular obligation of the other party or condition to its own obligation beyond those expressly waived and to the extent thereof, or a waiver in any respect to any other rights of the party making the waiver or any other obligations of the other party. No such waiver shall be valid unless it is in writing duly signed by the party waiving the right or rights.

ARTICLE VII

MISCELLANEOUS PROVISIONS

Section 1. Conflict of Interest. No member, official, or employee of the Agency shall have any personal interest, direct or indirect, in the Agreement, nor shall any such member, official, or employee participate in any decision relating to the Agreement which affects his personal interests or the interests of any corporation, partnership, or association in which he is, directly or indirectly, interested. No member, official, or employee of the Agency shall be personally liable to the City or any successor in interest in the event of any default or breach by the Agency or for any amount which may become due to the City or successor or on any obligations under the terms of the Agreement.

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Section 2. Equal Opportunity in Construction Employment. The City, for itself, and its successors and assigns, agrees that it will include the following provisions of this Section 2 in every contract or purchase order which may hereafter be entered into between the Public Body and any party (hereinafter in this Section called "Contractor") for or in connection with the construction of the Improvements, or any part thereof, provided for in the Agreement unless such contract or purchase order is exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965:

"Sec. . Equal Employment Opportunity. During the performance of this contract, the Contractor agrees with the City as follows:

(a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to, the following: employment, upgrading demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Agency setting forth the provisions of this nondiscrinimation clause.

(b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

(c) The Contractor will send to each labor union or representative of workers with which the Contractor has a collective bargaining

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agreement or other contract or understanding, a notice, to be provided, advising the labor union or worker's representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor or the Secretary of Housing and Urban Development pursuant thereto, and will permit access to the Contractor's books, records, and accounts by the Agency, the Secretary of Housing and Urban Development, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Contractor's non-compliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the the Secretary of Labor, or as otherwise provided by law.

(g) The Contractor will include the provisions of Paragraphs (a) through (g) of this Section in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any construction contract, subcontract, or purchase order as the Agency or the Department of Housing and Urban Development may direct as a means of enforcing such provisions, including sanctions for noncompliance; Provided, however, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Agency or the Department of Housing and Urban Development, the Contractor may request the United States to enter into such litigation to protect the interests of the United States."

For the purpose of including such provisions in any construction contract or purchase order, as required by this Section 2, the term "City" and the term "Contractor" may be changed to reflect appropriately the name or designation of the parties to such contract or purchase order, and the term "Agency" may likewise be changed to reflect appropriately the name or designation of the party referred to in the Agreement as "Agency".

Section 3. Notice. A notice or communication under the Agreement by either party to the other shall be sufficiently given or delivered if dispatched by registered mail, postage prepaid, return receipt requested, and

(a) in the case of a notice or communication to the City is addressed as follows: City-County Building, Fort Wayne, Indiana, and

(b) in the case of a notice or communication to the Agency is addressed as follows: Department of Redevelopment, City-County Building, Room 710 Fort Wayne, Indiana

or is addressed in such other way in respect to the parties as the party may from time to time, designate in writing dispatched as provided in this Section.

Section 4. Agreement Survies Conveyance. None of the provisions of the Agreement is intended or shall be merged by reason of any deed

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transferring title to the Property from the Agency to the City or any successor in interest, and any such deed shall not be deemed to affect or impair the provisions and covenants of the Agreement.

Section 5. Counterparts . The Agreement is executed in three (3) counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Agency has caused the Agreement to be duly executed in its behalf and its seal to be hereunto affixed and attested; and the City has caused the same to be duly executed in its behalf, or as of the day and year first above written.

(SEAL)

CITY OF FORT WAYNE

By Ivan A. Lebamoff
Mayor

ATTEST
Charles W. Westerman
City Clerk

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

Donald P. Astrick
President, Fort Wayne Redevelopment Commission, Governing Body of City of Fort Wayne, Department of Redevelopment

ATTEST:

Hana L. Stith
Secretary

This instrument prepared by John M. Clifton, Jr., Attorney

Redevelopment Box

Instrument G 451
7.50

Lots numbered 17 and 18 plus the East 5 feet of Lot 16, Hanna-Creighton Subdivision in the City of Fort Wayne, Section II, according to the Plat thereof recorded in Plat Book 31 at pages 88-90 in the office of the Recorder of Allen County, Indiana.

SCHEDULE "A"

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Instrument G 451 7.50

Substation

Wallace St. Substation

73 06531

Irene Swihart
ALLEN COUNTY RECORDER

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DEED

THIS INDENTURE WITNESSETH, that City of Fort Wayne, Department of Redevelopment, of Allen County in the State of Indiana, conveys to the City of Fort Wayne of the County of Allen, State of Indiana for and in consideration of the sum of Twenty One Thousand, Nine Hundred Three Dollars and Fifty Cents ($21,903.50), the receipt whereof is hereby accepted, the following described real estate in the City of Fort Wayne, County of Allen, State of Indiana, to-wit:

> Lots Numbered 17 and 18 plus the East 5 feet of Lot 16, Hanna-Creighton Subdivision in the City of Fort Wayne, Section II, according to the Plat thereof recorded in Plat Book 31 at pages 88-90 in the office of the Recorder of Allen County, Indiana.

SECTION 1.

It is understood and agreed that this Deed is subject to the covenants, conditions, restrictions and provisions of an agreement entered into between the Grantor and Grantee on the 15th day of March 1973, identified as "Agreement Between the City of Fort Wayne, Department of Redevelopment and the City of Fort Wayne, County of Allen, State of Indiana" (hereafter referred to as the "Agreement") and recorded in the Office of the Recorder of Allen County, Indiana, on Document No. 73-6501 and that the Grantee, as part of the consideration for this conveyance, covenants and agrees that the real estate herein conveyed shall exclusively be used for the purposes of an Electrical Sub-Station and that the Grantee shall be obligated to construct, improve and maintain the real estate herein conveyed for this purpose.

It is specifically agreed that the Grantee shall promptly begin and diligently prosecute to completion the redevelopment of the property through the construction of the improvements thereon, as provided in the Agreement, and that such construction shall in any event be begun within twelve months from the date of this Deed and be completed within twelve months from such date.

Promptly after completion of the improvements in accordance with the provisions of the Agreement, the Grantor will furnish the Grantee with an appropriate instrument so certifying. Such certification by the Grantor shall be

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Instrument G 451 730

(and it shall be so provided in the certification itself) a conclusive determination of satisfaction and termination of the Agreements and covenants of the Agreement and of this Deed with respect to the obligation of the Grantee, and its successors and assigns, to construct the improvements and the dates for the beginning and the completion thereof.

All certifications provided for herein shall be in such form as will enable them to be recorded with the Allen County Recorder. If the Grantor shall refuse or fail to provide any such certification in accordance with the provisions of the Agreement and this Deed, the Grantor shall, within thirty (30) days after written request by the Grantee, provide the Grantee with a written statement indicating in adequate detail in what respects the Grantee has failed to complete the improvements in accordance with the provisions of the Agreement or is otherwise in default, and what measures or acts it will be necessary, in the opinion of the Grantor, for the Grantee to take or perform in order to obtain such certification.

The agreements and covenants of the Agreement pertaining to the Improvements shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically provided in the Agreement, be, to the fullest extent permitted by law and equity, binding for the benefit of the community and the Grantor and enforceable by the Grantor against the Grantee, its successors and assigns, and every successor in interest to the above described property, or any part thereof or any interest therein.

SECTION 2

The Grantee agrees for itself and its successors and assigns to or of the property or any part thereof, hereinbefore described, that the Grantee and such successors and assigns shall:

(a) Devote the property to, and only to and in accordance with the uses specified in the agreement.

(b) Not discriminate upon the basis of race, color, creed or national origin in the use or occupancy of the Property or any improvements erected or to be erected thereon, or any part thereof.

It is intended and agreed that the above and foregoing agreements and covenants shall be covenants running with the land, and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically provided in this Deed, be binding, to the fullest extent permitted by law and equity, for the benefit and in favor of, and enforceable by, the Grantor, its successors and assigns, the City and any successor in interest to the Property, or any part thereof, and the owner of any other land or of any interest in such land in the Project Area which is subject to the land use requirements and restrictions of the Redevelopment Plan, and the United States (in the case of covenant in clause (b) hereof) against the Grantee, its successors and assigns, and every successor in interest to the Property, or any part thereof or any interest therein, and any party in possession or occupancy of the Property or any part thereof. It is further intended and agreed that the agreement and covenant provided in clauses (a) and (b) shall remain in effect without limitation as to time: Provided, that such agreements and covenants shall be binding on the Grantee itself, each successor in interest to the Property, and every part thereof, and each party in possession or occupancy, respectively, only for period as such successor or party shall have title to, or an interest in, or possession or occupancy of the Property or part thereof. The terms "uses specified in the Redevelopment Plan" and "land use" referring to provisions of the Redevelopment Plan, or similar language in this Deed shall include the land and all buildings, housing, and other requirements or restrictions of the Redevelopment Plan pertaining to such land.

In amplification, and not in restriction of, the provisions of the preceding section, it is intended and agreed that the Grantor and its successors and assigns shall be deemed beneficiaries of the agreements and covenants provided herein, and the United States shall be deemed a beneficiary of the covenants in clause (b) hereof, both for and in their or its own right, and also for the purposes of protecting the interest of the community and the other parties, public or private, in whose favor or for whose benefit these agreements and covenants have been provided. Such agreements and covenants shall run in favor of the Grantor and the United States, for the entire period during which such agreements and covenants shall be in force and effect, without regard to whether the Grantor or the United States has at any time been, remains, or is the owner of any land or interest therein to, or in favor of, which such agreements and covenants relate. The Grantor shall have the right, in the event of any breach of any such agreement or covenant, and the United States shall have the right in the event of any breach of the covenant provided in clause (b) hereof, to exercise all the rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breach of agreement or covenant, to which it or any other beneficiaries of such agreement or covenant may be entitled.

SECTION 3.

This Deed is also given subject to:

(a) Easements of record

(b) Covenants, Conditions and Restrictions contained in Urban Renewal Plan for the Hanna-Creighton Area as recorded in records of the Recorder of Allen County in Miscellaneous Record Book 31 at Page 90

(c) Provisions of the zoning ordinance of the City of Fort Wayne, Indiana, insofar as they affect this real estate,

IN WITNESS WHEREOF. City of Fort Wayne, Department of Redevelopment has caused this Deed to be duly executed in its behalf by the President of the Fort Wayne Redevelopment Commission and attested by the Secretary of said Commission this 19th day of March , 1973.

CITY OF FORT WAYNE, INDIANA
DEPARTMENT OF REDEVELOPMENT

BY Donald P. Eckrich
Donald P. Eckrich, President
Fort Wayne Redevelopment Commission

ATTEST:

Hana L. Stith
Hana L. Stith, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Personally appeared before me, a Notary Public, in and for said County and State, this 19th day of March ,1973, Donald P. Eckrich and Hana L. Stith, known to me to be President and Secretary respectively of Fort Wayne Redevelopment Commission, and acknowledged the execution of the above and foregoing Deed to be their voluntary act and deed as such officers of said Commission and the voluntary act and deed of City of Fort Wayne, Indiana, Department of Redevelopment.

IN WITNESS WHEREOF, I have hereunto affixed my hand and official seal.

John M Clifton Jr.
Notary Public

My Commission Expires:

August 9, 1975

This instrument prepared by John M. Clifton, Jr. Attorney

DULY ENTERED FOR TAXATION
MAR 20 1973
Dorothy E Raver
AUDITOR OF ALLEN COUNTY

Irene Rinehart
ALLEN COUNTY RECORDER

1973 APR 12 AM 9 16

Special Ordinance S-41-73

73 08303

AGREEMENT
FOR
SEWER EXTENSION

THIS AGREEMENT, made in triplicate form this 10th day of April, 1973, by and between JEWEL BUILDERS, INC., a Delaware Corporation, authorized to do business in the State of Indiana, hereinafter referred to as "DEVELOPER" and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the Developer desires to construct a sanitary sewer described as follows:

Main Sewer

Commencing at an existing 10-inch sanitary line in the East right of way of Hobson Road and 38 ± feet North of the centerline of proposed Timberhill Drive in Woodview Manor; thence, Eastwardly in and along a proposed 20 foot utility easement 510 ± feet to proposed Manhole #3; thence, in a Northeasterly direction a distance of 235 ± feet to Manhole #4 and the intersection of Mayberry Street; thence, Easterly in and along a 30 foot proposed utility easement a distance of 255 ± feet to proposed Manhole #5; thence, Northeasterly a distance of 148 ± feet to Manhole #6; thence, Northerly in and along a proposed 20 foot easement West of the right of way line of Roseview Road a distance of 522 ± feet to Manhole #8; thence, Northeasterly in and along said proposed easement a distance of 120 ± feet terminating at proposed Manhole #9.

Lateral #1

Commencing at proposed Manhole #2 on the above mentioned main sanitary sewer; thence, Northerly in and along a proposed 14 foot utility easement a distance of 300 ± feet to Manhole #1-1; thence, Easterly in and along a 14 foot proposed easement a distance of 147 ± feet terminating at a proposed cleanout.

Lateral #2

Commencing at the proposed Manhole #5 on the above mentioned main sanitary sewer; thence, Southeasterly in and along a proposed 14 foot utility easement a distance of 223 ± feet terminating at proposed Manhole #2-1.

Said sewers to be 8 inches in diameter.

in accordance with plans, specifications and profiles heretofore submitted to the City and now on file in the office of the Chief Engineer of the Water Pollution Control Engineering Department of the City, and known as the Woodview Manor Sanitary Sewer System, Board Order #87-72, which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the Developer has an interest, but also adjoining land areas.

WHEREAS, the cost of the construction of said sewer is represented to be $25,600.00.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SANITARY SEWER

The Developer shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved

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ALLEN COUNTY RECORDER

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QUIT CLAIM DEED

THIS INDENTURE WITNESSETH, that City of Fort Wayne, Department of Redevelopment of Allen County in the State of Indiana, conveys and quit claims to City of Fort Wayne of the County of Allen, State of Indiana for and in consideration of the sum of One Dollar ($1.00), and other valuable considerations, the receipt whereof is hereby accepted, the following described real estate in the City of Fort Wayne, County of Allen, State of Indiana, to-wit:

> Lots 34 to 39, Lots 58 to 63, Lots 65 to 70, ORIGINAL PLAT to the City of Fort Wayne, Indiana;
>
> TOGETHER with Dock Street, Columbia Streets, alleys and fire alleys between or adjacent to the aforesaid lots; EXCEPT the West 12 feet thereof; EXCEPT the South 22 feet thereof; and EXCEPT any parts of lots lying within the right-of-way of the Norfolk & Western Railway,

all of the real estate conveyed thereby as a whole being described as follows:

> Commencing at the Southeast corner of Lot 34, being the intersection of the North line of Columbia Street and the West line of Barr Street; thence North 11 degrees 36 minutes 31 seconds West (Baker Survey Bearing) along the line aforesaid, a distance of 135.0 feet to the North line of said Dock Street and the South right-of-way line of said Norfolk & Western Railway; thence South 78 degrees 21 minutes 15 seconds West (Baker Survey Bearing) along the line aforesaid, a distance of 353 feet to a point situated 12 feet East of Clinton Street as platted, and 2 feet East of Clinton Street as widened to 76 feet; thence South 11 degrees 38 minutes 12 seconds East along a line parallel to the said East line of Clinton Street, a distance of 493 feet to a point situated 22 feet North of the North line of Main Street as platted 66 feet wide; thence Northeasterly on a line parallel to and 22 feet North of the North line of Main Street, a distance of 353 feet to the East line of said Lot 65 and the West line of Barr Street; thence North 11 degrees 36 minutes 21 seconds West (Baker Survey Bearing) on the line aforesaid, a distance of 358 feet to the point of beginning; containing 174,029 square feet, more or less, or 3.995 acres, more or less.

DULY ENTERED FOR TAXATION
MAR 22 1973
Dorothy E. Raver
AUDITOR OF ALLEN COUNTY

SECTION 1.

It is understood and agreed that this Deed is subject to the covenants, conditions, restrictions and provisions of an

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Instrument G 481

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agreement entered into between the Grantor and Grantee on the 16th day of August, 1971, identified as "Agreement Between the City of Fort Wayne, Department of Redevelopment and the City of Fort Wayne, County of Allen, State of Indiana" (hereafter referred to as the "Agreement") and recorded in the Office of the Recorder of Allen County, Indiana, on Document No. 71-15291, and that the Grantee, as part of the consideration for this conveyance, covenants and agrees that the real estate herein conveyed shall exclusively be used for the purpose of a public park and that the Grantee shall be obligated to construct, improve and maintain perpetually the real estate herein conveyed for the purposes of a public park.

It is specifically agreed that the Grantee shall promptly begin and diligently prosecute to completion the redevelopment of the property through the construction of the improvements thereon, as provided in the Agreement, and that such construction shall in any event be begun within twelve (12) months from the date of this Deed and be completed with twelve (12) months from such date.

Promptly after completion of the improvements in accordance with the provisions of the Agreement, the Grantor will furnish the Grantee with an appropriate instrument so certifying. Such certification by the Grantor shall be (and it shall be so provided in the certification itself) a conclusive determination of satisfaction and termination of the Agreements and covenants of the Agreement and of this Deed with respect to the obligation of the Grantee, and its successors and assigns, to construct the improvements and the dates for the beginning and the completion thereof.

All certifications provided for herein shall be in such form as will enable them to be recorded with the Allen County Recorder. If the Grantor shall refuse or fail to provide any such certification in accordance with the provisions of the Agreement and this Deed, the Grantor shall, within thirty (30) days after written request by the Grantee, provide the Grantee with a written statement indicating in adequate detail in what respects the Grantee has failed to complete the improvements in accordance with the provisions of the Agreement or is otherwise in default, and what measures or acts it will be necessary, in the opinion of the Grantor, for the Grantee to take or perform in order to obtain such certification.

The agreements and covenants of the Agreement pertaining to the Improvements shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically provided in the Agreement, be, to the fullest extent permitted by law and equity, binding for the benefit of the community and the Grantor and enforceable by the Grantor against the Grantee, its successors and assigns, and every successor in interest to the above described property, or any part thereof or any interest therein.

SECTION 2.

The Grantee agrees for itself and its successors and assigns to or of the property or any part thereof, hereinbefore described, that the Grantee and such successors and assigns shall:

(a) Devote the property to, and only to and in accordance with the uses specified in the Agreement.

(b) Not discriminate upon the basis of race, color, creed or ntational origin in the use or occupancy of the Property or any improvments erected or to be erected thereon, or any part thereof.

It is intended and agreed that the above and foregoing agreements and covenants shall be covenants running with the land, and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically provided in this Deed, be binding, to the fullest extent permitted by law and equity, for the benefit and in favor of, and enforceable by, the Grantor, its successors and assigns, the City and any successor in interest to the Property, or any part thereof, and the owner of any other land or of any interest in such land in the Project Area which is subject to the land use requirements and restrictions of the Redevelopment Plan, and the United States (in the case of covenant in clause (b) hereof) against the Grantee, (its successors and assigns, and every successor in interest to the Property, or any part thereof or any interest therein, and any party in possession or occupancy of the Property or any part thereof. It is further intended and agreed that the agreement and covenant provided in clauses (a) and (b) shall remain in effect without limitation as to time: Provided, That such agreements and covenants shall be binding on the Grantee itself, each successor in interest to the Property, and every part htereof, and each party in possession or occupancy, respectively, only for period as such successor or party shall have title to, or an interest in, or possession or occupancy of the Property or part thereof. The terms "uses specified in the Redevelopment Plan and 'land use'" referring to provisions of the Redevelopment Plan, or similar language in this Deed shall include the land and all buildings, housing, and other requirements or restrictions of the Redevelopment Plan pertaining to such land.

In amplification, and not in restriction of, the provisions of the preceding section, it is intended and agreed that the Grantor and its successors and assigns shall be deemed beneficiaries of the agreements and covenants provided herein, and the United States shall be deemed a beneficiary of the covenants in clause (b) hereof, both for and in their or its own right, and also for the purposes of protecting the interest of the community and the other parties, public or private, in whose favor or for whose benefit these agreements and covenants have been provided. Such agreements and covenants shall run in favor of the Grantor and the United States, for the entire period during which such agreements and covenants shall be in force and effect, without regard to whether the Grantor or the United States has at any time been, remains, or is an owner of any land or interest therein to, or in favor of, which such agreements and covenants relate. The Grantor shall have the right, in the event of any breach of any such agreement or covenant, and the United States shall have the right in the event of any breach of the covenant provided in clause (b) hereof, to exercise all the rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breach of agreement or covenant, to which it or any other beneficiaries of such agreement or covenant may be entitled.

SECTION 3

This Deed is also given subject to:

(a) Easements of record

(b) Covenants, Conditions and Restrictions contained in Urban Renewal Plan for the Main Street Area as recorded in records of the Recorder of Allen County in Miscellaneous Record Book 284 at pages No. 245-252

(c) Provisions of the zoning ordinance of the City of Fort Wayne, Indiana, insofar as they affect this real estate.

IN WITNESS WHEREOF, City of Fort Wayne, Department of Redevelopment, has caused this Deed to be duly executed in its behalf by the President of the Fort Wayne Redevelopment Commission and attested by the Secretary of said Commission this 12th day of March, 1973.

CITY OF FORT WAYNE, INDIANA
DEPARTMENT OF REDEVELOPMENT

By Donald P. Eckrich
Donald P. Eckrich, President
Fort Wayne Redevelopment Commission

ATTEST:

Hana L. Stith
Hana L. Stith, Secretary
Fort Wayne Redevelopment Commission

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Personally appeared before me, a Notary Public, in and for said County and State, this 12th day of March, 1973, Donald P. Eckrich, and Hana L. Stith, known to be President and Secretary respectively of Fort Wayne Redevelopment Commission, and acknowledged the execution of the above and foregoing Deed to be their voluntary act and deed as such officers of said Commission and the voluntary act and deed of City of Fort Wayne, Indiana, Department of Redevelopment.

IN WITNESS WHEREOF, I have hereunto affixed my hand and official seal.

John M. Clifton Jr.
Notary Public

My Commission Expires:
August 9, 1975

PREPARED BY John Clifton

Irene Linehart
ALLEN COUNTY RECORDER

1973 MAR 22 AM 9 31

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Main St. + [illegible]

D E E D

KNOW ALL MEN BY THESE PRESENTS, that:

(1) WHEREAS, an Urban Renewal Plan (which, together with all modifications thereof made after the date of this Deed in accordance with applicable law, is hereinafter referred to as the "Urban Renewal Plan") for Main Street Project No. Ind. R-52 (hereinafter referred to as the "Project") was adopted by the City of Fort Wayne, Indiana, Department of Redevelopment, on July 21, 1965, and was approved by the Common Council of the City of Fort Wayne, Indiana on July 27, 1965, which "Urban Renewal Plan", as it exists on the date hereof, is recorded in the Office of the Recorder of Allen County, Indiana (hereinafter referred to as the "Recorder") in Miscellaneous Record 284, pages 245-252; and

(2) WHEREAS, City of Fort Wayne, Department of Redevelopment, is owner of certain real property located in the Project Area; and

(3) WHEREAS, pursuant to the "Urban Renewal Plan" and Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented, the City of Fort Wayne, Indiana, Department of Redevelopment, is authorized to sell portions of land in the Project Area; and

(4) WHEREAS, on the 15th Day of April, 1966, City of Fort Wayne, Department of Redevelopment, City of Fort Wayne, Indiana and the City of Fort Wayne, of the State of Indiana, entered into an agreement with respect to the sale, disposition and redevelopment of a portion of the real estate located in the "Project" Area and the construction thereon of a fire station, which agreement was recorded in the Office of the Recorder of Allen County, Indiana, on April 29, 1971, as Document Number 71-06719, and by this reference is made a part hereof as is same had been fully set forth herein verbatim, (said agreement hereinafter referred to as the "Agreement"), this conveyance being executed pursuant to said "Agreement".

DULY ENTERED FOR TAXATION
MAR 22 1973
Dorothy E. Raver
AUDITOR OF ALLEN COUNTY

Instrument G 482

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NOW, THEREFORE, in consideration of the payment to the City of Fort Wayne, Department of Redevelopment (hereinafter referred to as the "Grantor") of the sum of One Hundred Nine Thousand Seven Hundred Fifty-one Dollars and Eighty Cents ($109,751.80), the said City of Fort Wayne, Department of Redevelopment, does hereby convey and warrant to City of Fort Wayne, Indiana (hereinafter referred to as the "Grantee") the following described real estate situated in the City of Fort Wayne, Allen County, Indiana, to wit:

> Lot 24 TOGETHER with those parts of Lots 23, 22, and 21, lying Southwesterly of the right-of-way of former New York, Chicago, and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. Survey of 1947 in COUNTY ADDITION;
>
> ALSO, Lots 35, 36, 37, EXCEPT the South 22 feet thereof, TOGETHER with those Parts of Lots 38 and 39, (EXCEPT the South 22 feet thereof, lying Southerly and Westerly of 2290 square feet of land conveyed to the former New York Chicago and St. Louis Railroad Company by Instrument recorded in Deed Record 484, pages 375-376;)
>
> TOGETHER with VACATED alleys situated between and adjacent to the aforesaid lots;
>
> All being a Part of COUNTY ADDITION to the City of Fort Wayne as re-copied and recorded in Plat Book "O", page 3, in the Office of the Recorder of Allen County;
>
> and by metes and bounds described as follows to-wit:
>
> Commencing at the Northwest corner of Lot 24 in said COUNTY ADDITION, defined as the intersection of the South line of Columbia Street by the East line of Lafayette Street as platted; thence North 78 degrees 20 minutes East (adjusted Baker Bearing), a distance of 110.0 feet; thence South 58 degrees 20 minutes East along the Southwesterly right-of-way line of said Railroad, a distance of 235.8 feet, more or less, to a point on the Southerly line of a VACATED 14-foot wide alley; thence South 78 degrees 17 minutes 58.8 seconds West along said Southerly line of said VACATED alley, a distance of 30 feet; thence South 11 degrees 42 minutes 10.9 seconds East, a distance of 29.92 feet to a point; thence South 80 degrees 39 minutes 45.3 seconds East, a distance of 69.31 feet to the East line of Lot 39, being coincidental with the East line of COUNTY ADDITION to a point by deed situated 18.89 feet, more or less, South of the right-of-way line of said Railway; thence South 1 degree 30 minutes East on the East line of said COUNTY ADDITION, a distance of 76.5 feet, more or less, to a point situated 22 feet normally distant Northerly of the North line of Main Street, as in said Plat recorded; thence South 78 degrees 20 minutes West on a line parallel to said Main Street and a distance of 304.0 feet to the West line of Lot 35 in said Addition, being also situated on the East line of Lafayette Street, at a point situated 22 feet Northerly of the Southwest corner of said Lot 35; thence North 11 degrees 40 minutes West along the East line of Lafayette Street, a distance of 292 feet to the point of

beginning; containing 69,650 square feet, more or less, or, 1.599 acres, more or less;

ALSO, Part of Lot 40 TABER'S ADDITION to the City of Fort Wayne, Indiana, as recopied and recorded in Plat "O", page 6, in the office of the Recorder of Allen County, lying Southwesterly of the right-of-way of the former New York, Chicago and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. survey of 1947, known as "Old Fort Park" and by metes and bounds described as follows to-wit:

Commencing on the West line of said Lot 40 being coincidental with the East line of Lot 39 in COUNTY ADDITION to the City of Fort Wayne as recopied and recorded in Plat Book "O", page 3, at a point situated 22 feet normally distant Northerly of the North line of Main Street and 22.3 feet North of the South corner of said Lot 40; thence North 1 degree 30 minutes West (adjusted Baker bearing), a distance of 95.4 feet, more or less, to the Southwesterly right-of-way line of said railroad; thence South 58 degrees 20 minutes East on the line aforesaid, a distance of 131.1 feet to the West line of Clay Street as in said plat of TABER'S ADDITION established; thence South 33 degrees 16 minutes West, a distance of 4.3 feet, more or less, to a point situated 22 feet normally distant North of the North line of Main Street; thence South 78 degrees 20 minutes West on a line parallel to said Main Street, a distance of 108.4 feet to the point of beginning; containing 5350 square feet or, 0.123 acres, more or less;

The two tracts heretofore described have a COMBINED AREA of 75,000 square feet or, 1.722 acres.

All located in the City of Fort Wayne, Indiana.

This conveyance shall be subject to the provisions of the Building Code, Zoning Ordinance and other ordinances of the City of Fort Wayne and the applicable laws of the State of Indiana.

This conveyance shall also be subject to all of the terms, provisions, covenants, conditions and restrictions contained in the "Agreement" and in the "Urban Renewal Plan" hereinbefore referred to, which said "Urban Renewal Plan" is incorporated herein by this reference.

All of the terms, provisions, covenants, conditions and restrictions contained in both said "Urban Renewal Plan" and said "Agreement" shall be and the same are hereby declared to be covenants running with the land, enforceable as therein set out and which, in addition thereto, are hereby declared to be also for the benefit of the Grantor and also enforceable by it. Neither said "Agreement" hereinabove referred to nor any portion thereof shall be deemed merged in this Deed.

Grantor declares that no Indiana Gross Income Tax is due or payable by reason of the conveyance.

IN WITNESS WHEREOF, City of Fort Wayne, Department of Redevelopment, has caused this Deed to be executed by the President of the Fort Wayne Redevelopment Commission and attested by the Secretary of said Commission this 12th day of March, 1973.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By Donald P. Eckrich (SEAL)
Donald P. Eckrich
President
Fort Wayne Redevelopment Commission

ATTEST:
Hana L. Stith (SEAL)
Hana Stith
Secretary
Fort Wayne Redevelopment Commission

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Personally appeared before me, a Notary Public in and for said County and State, this 12th day of March, 1973, Donald P. Eckrich and Hana Stith, known to me to be President and Secretary respectively of the Fort Wayne Redevelopment Commission, governing body of the City of Fort Wayne, Department of Redevelopment, and acknowledged the execution of the above and foregoing Deed to be their voluntary act and deed as such officers of said Commission and the voluntary act and deed of City of Fort Wayne, Department of Redevelopment.

IN WITNESS WHEREOF, I have hereunto affixed my hand and official seal.

John M Clifton Jr.
Notary Public
John M. Clifton JR

My Commission Expires:
August 9, 1975

This instrument was prepared by John M. Clifton, Jr. Attorney, Fort Wayne, Indiana.

750

DULY ENTERED FOR TAXATION
MAR 22 1973
Dorothy E Raver
AUDITOR OF ALLEN COUNTY

73 06602

ALLEN COUNTY RECORDER
1973 MAR 22 AM 9 28

GRANT OF RIGHT OF WAY

THIS INDENTURE WITNESSETH THAT: CITY OF FORT WAYNE, DEPARTMENT OF REDEVELOPMENT of Allen County, State of Indiana, hereinafter referred to as "GRANTOR", for and in consideration of One Dollar and other valuable considerations, receipt of whic is hereby acknowledged, does hereby grant, quit-claim, and conve to the CITY OF FORT WAYNE, hereinafter referred to as "GRANTEE", a permanent easement and right-of-way for street purposes, along across the following described real property, located in Allen County, State of Indiana, to wit:

The South twenty-two (22) feet of all the following described real estate:

Lots Numbered 1, 2 and 3 in Ewing's Subdivision of Lot 70 in the Original Plat to the City of Fort Wayne according to the recorded Plat thereof; Lots Numbered 66, 67, 68 and 69 in the Original Plat to the City of Fort Wayne, according to the recorded plat thereof; Lots Numbered 1, 2 and 3 in Ewing's Subdivision of Lot Number 65 in the Original Plat to the City of Fort Wayne, according to the recorded plat thereof; Lots Numbered 7, 8 and 9 in Laurents Subdivision in the City of Fort Wayne, being a subdivision of the Henderson Homestead and Lot 30 in County Addition, according to the recorded plat thereof; Lots Numbered 31, 32, 33, 34, 35, 36, 37, 38 and 39 in County Addition, according to the recorded plat thereof; and ALSO, Part of Lot 40 TABER'S ADDITION to the City of Fort Wayne, Indiana, as recopied and recorded in Plat "O", page 6, in the office of the Recorder of Allen County, lying Southwesterly of the right-of-way of the former New York, Chicago and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. survey of 1947, known as "Old Fort Park" and by metes and bounds described as follows to-wit:

Commencing on the West line of said Lot 40 being coincidental with the East line of Lot 39 in COUNTY ADDITION to the City of Fort Wayne as recopied and recorded in Plat Book "O", page 3, at a point situated 22 feet normally distant Northerly of the North line of Main Street and 22.3 feet North of the South corner of said Lot 40; thence North 1 degree 30 minutes West (adjusted Baker bearing), a distance of 95.4 feet, more or less, to the Southwesterly right-of-way line of said railroad; thence South 58 degrees 20 minutes East on the line aforesaid, a distance of 131.1 feet to the West line of Clay Street as in said plat of TABER'S ADDITION established; thence South 33 degrees 16 minutes West, a distance of 4.3 feet, more or less, to a point situated 22

Instrument G 480

feet normally distant North of the North line of Main Street; thence South 78 degress 20 minutes West on a line parallel to said Main Street, a distance of 108.4 feet to the point of beginning; containing 5350 square feet or, 0.123 acres, more or less; the north-south alley between Lots Numbered 31 and 32 in County Addition, according to the recorded plat thereof; and also that portion of Barr Street north of its intersection with the North line of Main Street prior to this conveyance and the South line of the Norfolk and Western Railway.

Lots Nos. 76,75,74,73,72,71,70,69,68,67,66 and 65 in the Original Plat of the Town, now City of Fort Wayne, Indiana, as recorded in Plat Book "0", page 4 in the Office of the Recorder of Allen County, Indiana.

The vacated alleys north of Main Street prior to this conveyance and being located between Lots 74 and 73 and between Lots 68 and 67 in the Original Plat of the Town, now City of Fort Wayne, Indiana, as recorded in Plat Book "O", page 4 in the Office of the Recorder of Allen County, Indiana.

The vacated alleys north of Main Street prior to this conveyance and being located between Lots Numbered 31 and 32 in County Addition and between Lots Numbered 36 and 37 in County Addition.

This grant by the Grantor is given for purpose of widening Main Street between the East line of Calhoun Street and the West line of Clay Street, in Fort Wayne, Indiana, all as disclosed in the Main Street Project No. Ind. R-52, Urban Renewal Plan, which Urban Renewal Plan is recorded in the Office of the Recorder of Allen County, Indiana in Miscellaneous Record 284, pages 245-252, which Urban Renewal Plan is, by this reference, incorporated herein and made a part of this Grant of Right of Way.

The Grantor by this conveyance does not intend to nor does it convey or grant any right of way to the Grantee which would be North of the South lines specified in deeds executed by the Grantor to: Fort Wayne Fine Arts Foundation, Inc., an Indiana Not for Profit Corporation, which is dated November 2, 1972 and recorded as Document No. 72-24676 in the Office of the Recorder of Allen County, Indiana; The City of Fort Wayne for public park purposes dated March 12 , 1973, and recorded as Document No. ① 73-06603 in the Office of the Recorder of Allen County, Indiana; The City of Fort Wayne for fire station purposes which is dated March 12 , 1973 and recorded as Document No. 73-06604 in the Office of the Recorder of Allen County, Indiana and to The City of Fort Wayne, Indiana dated January 15, 1969 and recorded in Deed Record 719 at page 551 to 554 in the Office of the Recorder of Allen County, Indiana, said conveyance being for the real estate upon which the City-County Building is located.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this Grant of Right of Way.

IN WITNESS WHEREOF, City of Fort Wayne, Department of Redevelopment, has caused this Grant of Right of Way to be executed by the President of the Fort Wayne Redevelopment Commission and attested by the Secretary of said Commission this 12th day of March, 1973.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By Donald P. Eckrich (SEAL)
Donald P. Eckrich, President
Fort Wayne Redevelopment Commission

ATTEST:

Hana L. Stith (SEAL)
Hana Stith, Secretary
Fort Wayne Redevelopment Commission

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Personally appeared before me, a Notary Public in and for said County and State, this 12th day of March, 1973, Donald P. Eckrich and Hana Stith, known to me to be President and Secretary respectively of the Fort Wayne Redevelopment Commission, governing body of the City of Fort Wayne, Department of Redevelopment, and acknowledged the execution of the above and foregoing Grant of Right of Way to be their voluntary act and deed as such officers of said Commission and the voluntary act and deed of City of Fort Wayne, Department of Redevelopment.

IN WITNESS WHEREOF, I have hereunto affixed my hand and official seal.

John M. Clifton Jr.
Notary Public

My commission expires:
August 9, 1975

This instrument was prepared by John M. Clifton, Jr., Attorney.

59-118-0 41

SIDEWALK IMPROVEMENT RESOLUTION

No. 5630 -1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to construct sidewalk on the east side of Calhoun Street

from the north curb line of Tillman Road

to the south curb line of Dunbar Lane, except where sidewalk is now in place.

to a width of five (5) feet

all in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

~~The cost of said improvement~~ A maximum cost of $4.50 per front foot shall be assessed upon the real estate abutting on said Calhoun Street as above described and the balance of the total cost upon the City of Fort Wayne, Indiana, if the said city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five~~ six per cent. per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the City from the assessments for such improvement, or such moneys as said City is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 21st day of March, 1973.

BOARD OF PUBLIC WORKS: Ronald L. Bonar

CALHOUN PRESS

[illegible]

SIDEWALK IMPROVEMENT RESOLUTION

No. 5629, 1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to construct sidewalk on the north side of Colerick Street

from the east property line of the first alley east of Reed Street

to the west curb line of Winter Street, except where sidewalk is now in place

to a width of five (5) feet

all in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum cost of $4.50 per front foot ~~The cost of said improvement~~ shall be assessed upon the real estate abutting on said Colerick Street as above described and/balance of total cost upon the City of Fort Wayne, Indiana, if the said city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five~~ six per cent. per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the City from the assessments for such improvement, or such moneys as said City is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 19th day of March, 1973

BOARD OF PUBLIC WORKS: L. D. Braswell

Ronald L. Bonar

CALHOUN PRESS

Form 1931

DEPARTMENT OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

Street, Alley and Sidewalk Improvement Specifications

For Draining, Grading, Curbing, Paving and Improving

For construction of sidewalk on the north side of Colerick Street

from the east property line of the first alley east of Reed Street

to the west curb ~~property~~ line of Winter Street, except where sidewalk is now in place

~~(excepting the intersections of transverse streets that are already paved) with Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation or with six (6) inch Plain Concrete.~~

~~2" Macadam, 2" Binder and 1" Asphalt Top may be used for Street improvements.~~
~~A plain six (6) inch Concrete pavement may be used for Alley improvements.~~
A plain five (5) inch Concrete pavement may be used for Sidewalk improvements.

Plain 5" Concrete

length 142 lineal feet, center of street, alley or sidewalk, measurement, width 5 feet, between curbs or outside forms. Contractor will divide his cost by unit price to ascertain his bid price per lineal foot.

(expecting so much of the width, if any, as the Street Railway Company is bound by contract or otherwise to improve or pay the cost of improving, if such railway has made application or petition to construct all such portion of the improvement), under Improvement Resolution No. 5629, passed by the Board of Public Works of Fort Wayne, Indiana, the .... day of .... 19........

60-27-12
~~62-1~~
~~8/-17-~~
8/20/73

LOCAL SEWER IMPROVEMENT RESOLUTION

NO. 862, **19**73

60-76-6

ANA,

SEWER RESOLUTION 862 - 1973

MODIFIED

Modification to Sewer Resolution is necessary because Lot 12 of J. O. Black's Addition has a private sanitary connection to area south, necessitating relocation of laterals # 11, 12 and 13. (Correct description attached.)

Lateral #1

Beginning at a proposed sanitary manhole located 35 feet East of and 70± lineal feet North of the centerline intersection of Tillman Road and Anthony Boulevard; thence South 45 feet East of and parallel to the centerline of Anthony Boulevard 490± lineal feet to a proposed manhole located 45± lineal feet East of and 26± lineal feet North of the centerline intersection of Anthony Boulevard and Old Decatur Road; thence Southeasterly 31 feet North of and parallel to the centerline of Old Decatur Road 160± lineal feet, terminating at a proposed cleanout.

Lateral #2:

Beginning at a proposed manhole located 55± lineal feet West of and 3± lineal feet South of the Southwest corner of Lot #104 of Eastland Gardens Addition, Section B; thence due East along the existing easement 2,295± lineal feet to a proposed manhole located 4 feet North of and 5 feet East of the Northeast corner of Lot #2 of Eastland Gardens Addition, Section A; thence due South 60+ lineal feet, terminating at a proposed cleanout located 5 feet East of and 5± lineal feet South of the Northwest corner of Lot #1 of Eastland Gardens Addition, Section A.

Lateral #2-A:

Beginning at the proposed manhole located 5 feet East of and 4 feet North of the Northeast

See Page 2 and Page 3

in diameter, and said sewer, with all its appurtenances, shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders whose property abuts thereon, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 20th *day of* August 1973

BOARD OF PUBLIC WORKS:

Ronald L. Bonar

Note: In the assessment due for the above-mentioned improvement Resolution, the local assessment charge of $300.00 per acre for interceptor Resolution #181 adopted by the Board of Public Works dated April 4, 1968 has been incorporated.

Lateral 5-A:

Beginning at a proposed manhole located near the Northeast corner of Lot #77 of Eastland Gardens Addition, Section "A"; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #188 of Eastland Gardens Addition, Section "A".

corner of Lot #2 of Eastland Gardens Addition, Section A; thence North 55± lineal feet, terminating at a proposed cleanout located 3± feet East of and 5± feet North of the Southwest corner of Lot #25 of said Eastland Gardens Addition, Section A.

Lateral #3:
Beginning at a proposed manhole located 55± lineal feet West of and 1± lineal feet North of the Southwest corner of Lot #122 of Eastland Gardens Addition, Section B; thence due East along the existing easement 2,281± lineal feet to a proposed manhole located 4 feet North of and 4± feet East of the Northeast corner of Lot #27 of Eastland Gardens, Section A; thence due South 60± lineal feet, terminating at a proposed cleanout located 5± lineal feet South of and 5± lineal feet East of the Northwest corner of Lot #26 of Eastland Gardens Addition, Section A.

Lateral #3-A:
Beginning at a proposed manhole located 4 lineal feet East of and 4 lineal feet North of Lot #27 of Eastland Gardens Addition, Section A; thence due North 80± lineal feet, terminating at a proposed cleanout located 5± lineal feet East of and 35± lineal feet North of the Southwest corner of Lot #50 of Eastland Gardens, Section A.

Lateral #4:
Beginning at a proposed manhole located 52± lineal feet West of and 3± lineal feet North of the Southwest corner of Lot #140 of Eastland Gardens Addition, Section B; thence due East within the existing easement 2,282± lineal feet to a proposed manhole located 6 lineal feet East of and 2± lineal feet North of the Northeast corner of Lot #52 of Eastland Gardens Addition, Section A; thence due South 55± lineal feet, terminating at a proposed cleanout located 5 lineal feet South of and 1 foot East of the Northwest corner of Lot #51 of Eastland Gardens Addition, Section A.

Lateral #4-A:
Beginning at a proposed manhole located 6 feet East of and 2 feet North of Lot #52 of Eastland Gardens Addition, Section A; thence due North 55± lineal feet, terminating at a proposed cleanout located 1 foot East of and 5± feet North of the Southwest corner of Lot #75 of Eastland Gardens Addition, Section A.

Lateral #5:
Beginning at a proposed manhole located 53± lineal feet West of and 4± lineal feet North of the Southwest corner of Lot #158 of Eastland Gardens Addition, Section B; thence due East along the existing easement 2,291± lineal feet, terminating at a proposed manhole located 1± lineal foot North of and 11± lineal feet East of the Northwest corner of Lot #76 of Eastland Gardens Addition, Section A.

Lateral #6:
Beginning at a proposed manhole located 60± lineal feet West of and 3± lineal feet South of the Southwest corner of Lot #180 of Eastland Gardens Addition, Section B; thence due East within the existing easement 2,305± lineal feet to a proposed manhole located 9 lineal feet East of and 4± lineal feet South of the Northeast corner of Lot #29 of Stinson's First Sub-Division; thence due South 40± lineal feet, terminating at a proposed cleanout located 12± lineal feet East of and 5± lineal feet South of the Northwest corner of Lot #2 of Stinson's First Sub-Division.

Lateral #6-A:
Beginning at a proposed manhole located 4 feet South of and 9 feet East of the Northeast corner of Lot #29 of Stinson's First Sub-Division; thence due North 60± lineal feet, terminating at a proposed cleanout located 12 feet East of and 5 lineal feet North of the Southwest corner of Lot #4 of Stinson's First Sub-Division.

Lateral #7:
Beginning at a proposed manhole located 58 feet East of and 10 feet North of the Southwest corner of Lot #202 of Eastland Gardens Addition, Section B; thence due East along the existing easement 2,315± lineal feet, terminating at a proposed cleanout located 10 lineal feet East of and 10 lineal feet South of the Southwest corner of Lot #4 of Woodland Acres Addition.

Lateral #8:
Beginning at a proposed manhole located 58± lineal feet West of and 2± lineal feet South of the Southwest corner of Lot #224 of Eastland Gardens Addition, Section B; thence due East along the existing easement 1,051± lineal feet to a proposed manhole located 10± lineal feet North of and 3± lineal feet West of the Southeast corner of Lot #234 of Eastland Gardens Addition, Section B; thence North 221± lineal feet, terminating at a proposed manhole located 32± lineal feet North of and 3± lineal feet West of the Southeast corner of Lot #236 of Eastland Gardens Addition, Section B.

Lateral 5-A:
Beginning at a proposed manhole located near the Northeast corner of Lot #77 of Eastland Gardens Addition, Section "A"; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #188 of Eastland Gardens Addition, Section "A".

Lateral #9:

Beginning at a proposed manhole located 60± lineal feet due North of the N. E. corner of Lot No. 7 of Neuenschwander Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 1± lineal feet West of the Northeast corner of said Lot No. 7.

Lateral #10:

Beginning at the proposed sanitary sewer located 60± lineal feet North of the Northwest corner of Lot No. 5 of J. O. Blacks Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 1± lineal foot east of the Northwest corner of said Lot No. 7.

Lateral #11:

Beginning at the proposed sanitary sewer located 60± lineal feet North of the Northwest corner of Lot No. 7 of J. O. Black's Addition; thence due South 70± lineal feet, terminating at a proposed cleanout located 1± lineal foot North of and 1± lineal foot East of the Northwest corner of said Lot No. 7.

Lateral #12:

Beginning at a proposed manhole located 1± lineal foot West of and 70± lineal feet North of the Northwest corner of Lot #9 at J. O. Black's Addition; thence due South 80± lineal feet, terminating at a proposed cleanout located 1± lineal foot North of and 1± lineal foot West of the Northwest corner of Lot No. 9 of J. O. Black's Addition.

Lateral #13:

Beginning at a proposed manhole located 60± lineal feet due North of the Northwest corner of Lot No. 11 of J. O. Black's Addition, thence due South 70± lineal feet terminating at a proposed cleanout located 1± lineal foot North of and 1± lineal foot East of the Northwest corner of said Lot No. 11.

Lateral #14:

Beginning at a proposed manhole located 40± lineal feet North of and 35± lineal feet West of the centerline intersection of Autumn View Drive and Tillman Road, thence due South 75± lineal feet, terminating at a proposed cleanout located 30± lineal feet South of and 30± lineal feet West of the centerline intersection of said Tillman Road and Autumn View Drive.

Said sewers shall be 8, 12 and 15 inches in diameter.

Lateral 5-A:

Beginning at a proposed manhole located near the Northeast corner of Lot #77 of Eastland Gardens Addition, Section "A"; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #188 of Eastland Gardens Addition, Section "A".

Lateral #9:

Beginning at a proposed manhole located 60± lineal feet due North of the N.E. corner of Lot No. 7 of Neuenschwander Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 1± lineal feet West of the Northeast corner of said Lot No. 7.

Lateral #10:

Beginning at the proposed sanitary sewer located 60± lineal feet North of the Northwest corner of Lot No. 5 of J. O. Blacks Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 1± lineal foot east of the Northwest corner of said Lot No. 7.

Lateral #11:

Beginning at the proposed sanitary sewer located 60± North of the Northwest corner of Lot No. 8 of J. O. Black's Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 5± lineal feet East of the Northwest corner of said Lot No. 8.

Void

Lateral #12:

Beginning at a proposed manhole located 16± lineal feet East of and 35± lineal feet North of the centerline intersection of Bauer Ave. and Tillman Road, thence due South 80± lineal feet, terminating at a proposed cleanout located 15± lineal feet South of and 5± lineal feet West of the Northwest corner of Lot No. 10 of J. O. Black's Addition.

Lateral #13:

Beginning at a proposed manhole located 60± lineal feet due North of the Northwest corner of Lot No. 12 of J. O. Black's Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 5± lineal feet East of the Northwest corner of said Lot No. 12.

Lateral #14:

Beginning at a proposed manhole located 40± lineal feet North of and 35± lineal feet West of the centerline intersection of Autumn View Drive and Tillman Road, thence due South 75± lineal feet, terminating at a proposed cleanout located 30± lineal feet South of and 30± lineal feet West of the centerline intersection of said Tillman Road and Autumn View Drive.

Said sewers shall be 8, 12 and 15 inches in diameter.

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land Gardens Addition, Section B.

Lateral 5-A:

Beginning at a proposed manhole located near the Northeast corner of Lot #77 of Eastland Gardens Addition, Section "A"; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #188 of Eastland Gardens Addition, Section "A".

LOCAL SEWER IMPROVEMENT RESOLUTION

NO. 862 , 19 73

AMENDMENT TO MODIFIED RESOLUTION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a local sewer, intended and adopted only for local use by the property holders whose property abuts thereon, and not intended or adapted for receiving sewage from collateral drains, be and the same is hereby ordered in and along

Main Sewer:

Beginning at a proposed manhole set over an existing sanitary sewer located 115± lineal feet North of and 30± lineal feet West of the centerline intersection of Anthony Boulevard and Tillman Road; thence East 35 feet North of and parallel to the centerline of Tillman Road 2000± lineal feet to a proposed manhole located 33± lineal feet West of and 40± lineal feet North of the centerline intersection of Autumview Drive and Tillman Road; thence North 33± lineal feet West of and parallel to the centerline of said Autumnview Drive 2,539± lineal feet to a proposed manhole located 7 feet West of and 4 feet South of the Northeast corner of Lot #247 of Eastland Gardens Addition, Section B; thence due East 4 feet South of and parallel to the North boundary line of said Eastland Gardens addition, Section B 864 feet, terminating at a proposed cleanout located 10 feet East of and 4 feet South of the Northeast corner of Lot #237 of said Eastland Gardens Addition, Section B.

Lateral #1

Beginning at a proposed sanitary manhole located 35 feet East of and 70± lineal feet North of the centerline intersection of Tillman Road and Anthony Boulevard; thence South 45 feet East of and parallel to the centerline of Anthony Boulevard 490± lineal feet to a proposed manhole located 45± lineal feet East of and 26± lineal feet North of the centerline intersection of Anthony Boulevard and Old Decatur Road; thence Southeasterly 31 feet North of and parallel to the centerline of Old Decatur Road 160± lineal feet, terminating at a proposed cleanout.

Lateral 2

Beginning at a proposed manhole located 55± lineal feet West of and 3± lineal feet South of the Southwest corner of Lot 104 of Eastland Gardens Addition, Section "B"; thence, due East along the existing easement 2,295± lineal feet to a proposed manhole located near the Southwest corner of Lot 23 of said Eastland Gardens Addition, Section "A"; thence, North 1,800± lineal feet and terminating at a proposed manhole located near the Northeast corner of Lot 7 of Stinson's 1st Subdivision.

Lateral #2-A:

Beginning at the proposed manhole located 5 feet East of and 4 feet North of the Northeast corner of Lot #2 of Eastland Gardens Addition, Section A; thence South 55± lineal feet, terminating at a proposed cleanout located 3± feet East of and 5± feet South of the Northwest corner of Lot #1 of said Eastland Gardens Addition, Section A.

Lateral #3:

Beginning at a proposed manhole located 55± lineal feet West of and 1± lineal feet North of the Southwest corner of Lot #122 of Eastland Gardens Addition, Section B; thence, due East along the existing easement 900± lineal feet terminating at a proposed cleanout located 5± lineal feet South of and 5± lineal feet East of the Northwest corner of Lot #113 of Eastland Gardens Addition, Section B.

Lateral 3-A:

Beginning at a proposed manhole located near the Northeast corner of Lot #27 of Eastland Gardens Addition, Section "A"; thence, due West withing the existing easement 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #92 of Eastland Gardens Addition, Section "A".

Lateral #4:

Beginning at a proposed manhole located 52± lineal feet West of and 3± lineal feet North of the Southwest corner of Lot #140 of Eastland Gardens Addition, Section B; thence due East within the existing easement 900± lineal feet, terminating at a proposed cleanout located 5 lineal feet South of and 5± lineal feet East of the Northwest corner of Lot #131 of Eastland Gardens Addition, Section B.

Lateral 4-A:

Beginning at a proposed sanitary manhole located near the Northeast corner of Lot #52 of Eastland Gardens Addition, Section "A"; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #90 of said Eastland Gardens Addition, Section "A".

Lateral #5:

Beginning at a proposed manhole located 53± lineal feet West of and 4± lineal feet North of the Southwest corner of Lot #158 of Eastland Gardens Addition, Section B; thence, due East along the existing easement 930± lineal feet, terminating at a proposed cleanout located 1± lineal foot North of and 11± lineal feet East of the Northwest corner of Lot #149 of Eastland Gardens Addition, Section B.

Lateral 5-A:

Beginning at a proposed manhole located near the Northeast corner of Lot #77 of Eastland Gardens Addition, Section "A"; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #188 of Eastland Gardens Addition, Section "A".

Lateral #6:
Beginning at a proposed manhole located 60± lineal feet West of and 3± lineal feet South of the Southwest corner of Lot #180 of Eastland Gardens Addition, Section B; thence due East withing the existing easement 930± lineal feet, terminating at a proposed cleanout located 12± lineal feet East of and 5± lineal feet South of the Northwest corner of Lot #170 of Eastland Gardens Addition, Section B.

Lateral 6-A:
Beginning at a proposed manhole located near the Northeast corner of Lot #29 of Stinson's 1st Subdivision; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #169 of Eastland Gardens Addition, Section "B".

Lateral #7:
Beginning at a proposed manhole located 58 feet East of and 10 feet North of the Southwest corner of Lot #202 of Eastland Gardens Addition, Section B; thence, due East along the existing easement 930± lineal feet, terminating at a proposed cleanout located 10± lineal feet East of and 5± lineal feet South of the Southwest corner of Lot #211 of Eastland Gardens Addition, Section B.

Lateral 7-A:
Beginning at a proposed manhole located near the Northeast corner of Lot #7 of Stinson's 1st Subdivision; thence, due West 1,140± lineal feet terminating at a proposed manhole located 5± lineal feet West of the Northeast corner of Lot #191 of Eastland Gardens Addition, Section "B".

Lateral #8:
Beginning at a proposed manhole located 58± lineal feet West of and 2± lineal feet South of the Southwest corner of Lot #224 of Eastland Gardens Addition, Section B; thence, due East along the existing easement 1,051± lineal feet to a proposed manhole located 10± lineal feet North of and 3± lineal feet West of the Southeast corner of Lot #234 of Eastland Gardens Addition, Section B; thence, North 221± lineal feet, terminating at a proposed manhole located 32± lineal feet North of and 3± lineal feet West of the Southeast corner of Lot #236 of Eastland Gardens Addition, Section B.

Lateral #9:
Beginning at a proposed manhole located 60± lineal feet due North of the Northeast corner of Lot #7 of Neuenschwander Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 1± lineal foot West of the Northeast corner of said Lot #7.

Lateral #10:
Beginning at the proposed sanitary sewer located 60± lineal feet North of the Northwest corner of Lot #5 of J.O. Blacks Addition, thence due South 70± lineal feet, terminating at a proposed cleanout located 10± lineal feet South of and 1± lineal foot east of the Northwest corner of said Lot #5.

Lateral #11:
Beginning at the proposed sanitary sewer located 60± lineal feet North of the Northwest corner of Lot #7 of J.O. Black's Addition; thence due South 70± lineal feet, terminating at a proposed cleanout located 1± lineal foot North of and 1± lineal foot East of the Northwest corner of said Lot #7.

Lateral #12:
Beginning at a proposed manhole located 1± lineal foot West of and 70± lineal feet North of the Northwest corner of Lot #9 of J.O. Black's Addition; thence due South 80± lineal feet, terminating at a proposed cleanout located 1± lineal foot North of and 1± lineal foot West of the Northwest corner of Lot #9 of J.O. Black's Addition.

Lateral #13:
Beginning at a proposed manhole located 60± lineal feet due North of the Northwest corner of Lot #11 of J.O. Black's Addition, thence due South 70± lineal feet terminating at a proposed cleanout located 1± lineal foot North of and 1± lineal foot East of the Northwest corner of said Lot #11.

Lateral #14:
Beginning at a proposed manhole located 40± lineal feet North of and 35± lineal feet West of the centerline intersection of Autumn View Drive and Tillman Road, thence due South 75± lineal feet, terminating at a proposed cleanout located 30± lineal feet South of and 30± lineal feet West of the centerline intersection of said Tillman Road and Autumn View Drive.

10,
Said sewers shall be 8,/12 and 15 inches in diameter.

Note: In the assessment due for the above mentioned improvement Resolution, the local assessment charge of $300.00 per acre for interceptor Resolution #181 adopted by the Board of Public Works dated April 4, 1968 has been incorporated.

Original Deed being held by
Dave Keller, City Attorney

ALLEN COUNTY RECORDER

1973 MAR 1 AM 8 06

73 04944

SHERIFF'S DEED

THIS INDENTURE, made this 28th day of February, 1973, from Robert A. Bender, Sheriff of Allen County, Indiana (hereinafter "Sheriff"), to the City of Fort Wayne, Indiana (hereinafter "City"), WITNESSES THAT:

WHEREAS, on December 20, 1972, judgment was rendered in the case of "American Fletcher National Bank and Trust Company v. Indiana Suburban Sewers, Inc., Suburban Services, Inc., and John Dehner, Inc.", Cause No. S-72-1482 in the Allen Superior Court in favor of American Fletcher National Bank and Trust Company ("American Fletcher") for the amount of $895,644.31 and in favor of John Dehner, Inc. ("Dehner") in the amount of $154,880.35, and against the defendants Indiana Suburban Sewers, Inc., and Suburban Services, Inc. ("Defendants"), and said judgment and decree ordered the sale of the property hereinafter described and all right, title, interest and claim of the Defendants in and to said property, without relief from valuation or appraisement laws; and

WHEREAS, under date of December 22, 1972, a copy of said judgment and decree was duly issued under the seal of the Court, certified by the Clerk thereof, directed to the Sheriff, commanding him to sell said property and apply the proceeds therefrom in payment of said judgment with interest and costs thereon; and

WHEREAS, said copy of judgment and order of sale on January 19, 1973, came to the hands of the Sheriff to be executed and the Sheriff having duly and legally advertised the same, did on the 28th day of February, 1973, at the east door of the Allen County Courthouse in the City of Fort Wayne, between the hours of 10:00 a.m. and 4:00 p.m.,

DULY ENTERED FOR TAXATION

FEB 28 1973

Dorothy E. Raver
AUDITOR OF ALLEN COUNTY

David Keller

Instrument F 11822

450

IN WITNESS WHEREOF, said Robert A. Bender, Sheriff of Allen County, Indiana, has hereunto set his hand and official seal this 28th day of February, 1973.

Robert A. Bender,
Sheriff of Allen County

By Willard Alan Hadley
Deputy Sheriff of Allen County

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Willard Alan Hadley the duly constituted deputy of Robert A. Bender, Sheriff of Allen County, Indiana, and acknowledged the execution of the foregoing Sheriff's Deed this 28th day of February, 1973.

Witness my hand and Notarial Seal.

Jo Anne Oswald
Notary Public

My commission expires:
September 25, 1975

Prepared by Fred E. Schlegel, Attorney.

STATE OF INDIANA)
) SS: IN THE ALLEN SUPERIOR COURT
COUNTY OF ALLEN)

AMERICAN FLETCHER NATIONAL BANK AND TRUST COMPANY, Plaintiff, vs. INDIANA SUBURBAN SEWERS, INC., SUBURBAN SERVICES, INC., and JOHN DEHNER, INC., Defendants.	CAUSE NO. S-72-1482

SHERIFF'S RETURN ON ORDER OF SALE

Pursuant to the decree and order of sale entered in this cause on December 20, 1972, I advertised the property hereinafter described for sale at public auction to be held on February 28, 1973, at the east door of the Courthouse of Allen County, State of Indiana, by publication on the 22nd and 29th days of January, 1973, and on the 5th day of February, 1973, in the Fort Wayne News-Sentinel, a daily newspaper of general circulation, printed and published in the English language, in the City of Fort Wayne, in Allen County, Indiana, the first of which publications was more than thirty (30) days before the date of said sale. On January 30, 1973, I caused to be posted at the east door of the Allen County Courthouse and at three of the most public places in each of the townships wherein the property is situated written notices of said sale. A copy of said notice is attached hereto as Exhibit A. On February 28, 1973, between the hours of 10 o'clock a.m. and 4 o'clock p.m., at the east door of the Courthouse of Allen County, I offered for sale at public auction to the highest and best bidder for cash said property and all right, title, interest and claims of the defendants Indiana Suburban Sewers, Inc., and Suburban Services, Inc., therein, to wit:

> All real estate, including without limitation, easements, rights of way, and other interests which have been acquired for the purpose of installing a sewage disposal system, and all property of any and every kind whatsoever, both real and personal, including without limitation, all pipes, sewers, interceptors, mains, laterals, manholes, meters, valves and all connections and appurtenances thereto, which have been constructed, and all chattels, fixtures, and intangibles which have been acquired, within the rural area southeast of the City of Fort Wayne, Indiana, which has been franchised to Indiana Suburban Sewers, Inc., as a public utility, in Certificate of Territorial Authority No. 61 issued by the Public Service Commission of Indiana on September 1, 1967, in PSCI Cause No. 31154, and also including said Certificate of Territorial Authority and all franchise rights thereunder, which is set forth in the mortgage recorded January 13, 1969, in the office of the Recorder of Allen County, Indiana, as Instrument No. 723 in Book 932 at pages 361 and following.

At said public auction American Fletcher National Bank and Trust Company ("American Fletcher") and John Dehner, Inc. ("Dehner"), the judgment creditors herein, together bid the amount of $__________ for said property, American Fletcher's share of said bid being 85.257% ($____________), and Dehner's share of said bid being 14.743% ($_____________). Said bid was the highest and best bid received, and American Fletcher and Dehner agreed to receipt their judgments to the extent of the amounts of their respective shares of said bid, less the costs to be paid therefrom. Said bid was accepted by me, and the property was then and there struck off and sold to said American Fletcher and Dehner as tenants in common for said total amount of $_____________. Said bid was then paid to me by American Fletcher and Dehner delivering to me the amount of $______________ for said costs and their receipting for the amounts to be applied in satisfaction of their judgments as follows:

To be applied to judgment in favor of American Fletcher..................$__________

To be applied to judgment in favor of Dehner.............................$__________

I applied said cash payment as follows:

Paid to Robert D. Hanson, Clerk of the Court for court costs................$__________

Paid to Fort Wayne News-Sentinel for the cost of publication.................$__________

Retained by me as my fees and costs herein.............................$__________

I then executed and delivered to American Fletcher and Dehner a Sheriff's Deed conveying said property to American Fletcher and Dehner as tenants in common.

This writ is thus returned this _____ day of February, 1973, in partial satisfaction of the American Fletcher judgment, in the amount of $______________, and of the Dehner judgment, in the amount of $_______________.

Robert A. Bender
Sheriff of Allen County

By______________________________
Deputy Sheriff of Allen County

STATE OF INDIANA)
) SS: IN THE ALLEN SUPERIOR COURT
COUNTY OF ALLEN)

AMERICAN FLETCHER NATIONAL BANK)
AND TRUST COMPANY,)
)
Plaintiff,)
)
vs.) CAUSE NO. S-72-1482
)
INDIANA SUBURBAN SEWERS, INC.,)
SUBURBAN SERVICES, INC., and)
JOHN DEHNER, INC.,)
)
Defendants.)

NOTICE OF SALE

By virtue of a certified copy of a judgment and decree of mortgage foreclosure directed to me by the Clerk of the Allen Superior Court, Allen County, Indiana, in this cause, wherein judgment was rendered against the defendants Indiana Suburban Sewers, Inc., and Suburban Services, Inc., and in favor of the plaintiff, American Fletcher National Bank and Trust Company, in the sum of $895,644.31, plus interest and its costs and charges incurred in this cause, and in favor of defendant John Dehner, Inc., in the sum of $154,880.35, plus interest and its costs and charges incurred in this cause, which judgment and decree ordered the sale of property hereinafter described to make available assets for the payment of said sums to said plaintiff and defendant, I, as Sheriff of said Allen County, shall offer for sale for cash at public auction to the highest bidder on February 28 , 1973, between the hours of 10:00 a.m. and 4:00 p.m., E.S.T., at the east door of the Allen County Courthouse, in the City of Fort Wayne, Allen County, Indiana, the following described property in said County and State, to wit:

EXHIBIT A

All real estate, including without limitation, easements, rights of way, and other interests which have been acquired for the purpose of installing a sewage disposal system, and all property of any and every kind whatsoever, both real and personal, including without limitation, all pipes, sewers, interceptors, mains, laterals, manholes, meters, valves and all connections and appurtenances thereto, which have been constructed, and all chattels, fixtures, and intangibles which have been acquired, within the rural area southeast of the City of Fort Wayne, Indiana, which has been franchised to Indiana Suburban Sewers, Inc., as a public utility, in Certificate of Territorial Authority No. 61 issued by the Public Service Commission of Indiana on September 1, 1967, in PSCI Cause No. 31154, and also including said Certificate of Territorial Authority and all franchise rights thereunder, which is set forth in the mortgage recorded January 13, 1969, in the office of the Recorder of Allen County, Indiana, as Instrument No. 723 in Book 932 at pages 361 and following.

Said sale will be made without any relief from valuation or appraisement laws.

Dated this 19th day of January, 1973.

ROBERT A BENDER
Sheriff of Allen County, Indiana

57-[illegible]

CONTRACT FOR ENGINEERING SERVICES

FOR

IMPROVEMENTS TO RUDISILL BOULEVARD WHICH INCLUDES STREET WIDENING, SIGNALING, LIGHTING AND INTERSECTION IMPROVEMENTS FROM INDIANA AVENUE TO OLD MILL ROAD (BROADWAY) IN THE CITY OF FORT WAYNE, INDIANA

BY AND BETWEEN THE

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

AND

BEAM, LONGEST & NEFF, INC.
CONSULTING ENGINEERS
INDIANAPOLIS, INDIANA

A STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER

Fee is Per Cent of Construction Cost

THIS AGREEMENT, made this 8th day of March, 1973, by and between the City of Fort Wayne, acting by and through its Board of Public Works of the City of Fort Wayne, Indiana, hereinafter called the OWNER, and Beam, Longest & Neff, Inc., hereinafter called the ENGINEER, WITNESSETH, That whereas the Owner intends to construct improvements to Rudisill Boulevard which include street widening, signaling, lighting and intersection improvements from Indiana Avenue to Old Mill Road (Broadway) in the City of Fort Wayne, Indiana, hereinafter called the PROJECT.

NOW, THEREFORE, the Owner and Engineer for the consideration hereinafter set forth, agree as follows:

ARTICLE 1. THE ENGINEER AGREES to perform the following engineering services for the Project:

A. Phase I - Preliminary Engineering Design and Right of Way Plans.
After receiving from the Owner, written notice to proceed with the Preliminary Engineering Design, the Engineer agrees to:

1. Make the Design Survey, including all required survey data necessary for the preparation of Contract Plans, the Engineer may obtain survey data by photogrammetric methods. Such Design Survey shall be in accordance with the accepted standards of practice as used by the Indiana State Highway Commission. As part of Survey, Engineer shall establish survey base line and/or center line of street, and reference points at street intersections and benchmarks.

2. Prepare Preliminary Plans, Itemized Preliminary Construction Cost Estimates in sufficient detail and accuracy as required to prepare final Contract Plans and Specifications. Such Preliminary Plans and Cost Estimates shall be in accordance with accepted standards of practice as used by the Indiana State Highway Commission. Plans to include roadway design, signing, street lighting, tree planting, and signalization of major intersections.

3. Where additional Right of Way is required, either permanent or temporary, it will be indicated on the plan sheets. Should Plats and Instruments required for acquisition of Right of Way be needed, they will be furnished under Article 4C, in accordance with "Right of Way Engineering Procedures Manual", dated 1972, by the Indiana State Highway Commission.

4. Engineer shall locate and identify all utilities (underground and aerial) accurately and if necessary request excavations to determine exact horizontal and vertical locations. Owner shall provide or cause to be provided labor and materials for required excavations, and Engineer shall provide survey crew to measure locations.

5. Environmental Statement - The Engineer shall furnish the Owner with data but the Engineer shall not prepare the statement under this Contract.

B. Phase II - Final Engineering Design. Upon approval of the Preliminary Engineering Design by the Owner and after receiving from the Owner written notice to proceed with Final Engineering Design, the Engineer agrees to:

1. Prepare Final Contract Plans and Specifications for the following, including Special Provisions, Proposal Forms, Notice to Bidders, and Itemized Final Estimates of cost of construction, in accordance with accepted standards of practice as used by the Indiana State Highway Commission:

   a. Roadway construction.
   b. Signing installation.
   c. Street lighting installation.
   d. Signalization of major intersections, except for computer circuits which shall be furnished by the Owner.
   e. Show street right of way line and adjacent property owners with street address. Owner to furnish property ownership list to Engineer.
   f. Tree planting in right of way.

2. Furnish Reproductions. The Engineer shall furnish the Owner with one set of reproducible sepias or mylars of the final approved Contract Plans and Cross Sections, and four (4) sets of reproductions of the final approved Contract Specifications. The Final Estimate of Cost shall be presented to the Owner in its original prescribed form for safekeeping, and no other distribution of said Estimate of Construction Cost shall be made.

3. Governmental Agencies. The Engineer shall obtain written approvals of Engineering Design from all affected governmental agencies; railroads and utilities where required.

4. Design Reports. The Engineer shall submit to the Owner monthly Preliminary and Final Engineering Design Status Reports showing progress and percent complete.

C. Phase III - Construction Phase. If requested in writing by the Owner and after the Contractor's written order to proceed, the Engineer shall proceed with the general engineering inspection of the construction and shall:

1. Provide general engineering administration of the construction contract including, at the Owner's request, the giving of technical engineering information to legal counsel as as aid to the interpretation and clarification of the Contract Documents.

2. Check and approve Contractor's requests for payment, samples, catalogue data, schedules, shop drawings, laboratory, shop and mill tests of equipment and other data which the Contractor is required to submit, only for conformance with the design concept of the Project and compliance with the information given by the Contract Documents; and shall collect all guarantees required of Contractors and suppliers but shall not prepare any required guarantees without approval of legal counsel.

3. Engineer shall provide Owner with one (1) set of reproducible "As Built" drawings following completion of construction reflecting actual conditions as found and constructed. Owner will provide Engineer with necessary information in the event the Engineer does not perform Phases IV and V.

D. Phase IV - Resident Engineer and Inspectors. Upon written request by the Owner, the Engineer shall provide a qualified resident engineer and necessary inspector(s) during active installation and construction of the Project to perform project engineering and inspection services required by City, State and Federal Highway officials. This service shall be comprehensive to include all reports, approval of contractor's materials, testing, approval of contractor's invoices, monthly progress reports, etc., which will be necessary for full completion and acceptance of the Project by the City, State and Federal Highway representatives.

E. Phase V - Construction Engineering. If requested by the Owner in writing, the Engineer agrees to:

1. Furnish all materials and labor to set layout and grade stakes for the construction of this Project.

   a. One (1) week notice will be required in advance of staking needed.

   b. Stakes will be set only one (1) time. Should the Contractor inadvertently knock out stakes, reimbursement for replacing shall be required on an actual time, plus overhead and expense, plus profit basis.

2. The Engineer will not furnish a full-time crew under this Contract unless the Owner requests and negotiates additional compensation to cover full-time residents.

F. Attend Conferences. For all phases authorized by the Owner, the Engineer shall attend such conferences, record and distribute minutes, with the officials of the Owner and other interested agencies and governmental units as may be required in connection with the work. Compensation for this service shall be included in the fee for the respective phase.

ARTICLE 2. COMPLETION SCHEDULE. After receiving from the Owner written notice to proceed, the Preliminary Plans, Right of Way Plans (Phase I) and Final Contract Plans (Phase II) shall be completed by the Engineer and submitted to the Owner for its approval in accordance with the following schedule:

Design Schedule:
Preliminary Plans (Phase I) completed within forty-five (45) calendar days, after written authorization to proceed with Preliminary Engineering Design.

Right of Way Plans (Phase I) submitted within
Fifteen (15) Calendar Days
after written approval of the Preliminary Engineering Design.

Final Contract Plans (Phase II) completed with
Sixty (60) Calendar Days
after written authorization to proceed with
Final Engineering Design and approval of regulatory
Governmental Agencies.

The above timetable shall be subject to documented delays due to required approval by regulatory Governmental Agencies.

For each calendar day the engineer fails to complete his work in accordance with the completion schedule, a penalty of $100.00 per calendar day shall be deducted from his compensation.

ARTICLE 3. INFORMATION AND SERVICES TO BE FURNISHED OR CAUSED TO BE FURNISHED BY OWNER.

The Owner shall furnish the Engineer with the following:

A. Criteria for design and detail such as project limits, pavement and median widths, grades, curves, sight distances, clearances, design loadings, etc.

B. Any necessary soil borings or assist in subsurface investigations that may be required for the engineering design.

C. Reproducible Roadway and/or Bridge Standards required for construction of the project including the Owner's Standard Title sheet and Construction Identification Sign to be incorporated into the Contract Plans.

D. Guaranty of Title, requirements for Land Plat preparation, the Owner's Standard Instrument necessary for Right of Way Acquisition upon which Legal Description is to be placed.

E. Prepare or caused to be prepared all advertisements for bids and cause same to be properly advertised.

F. Furnish the necessary reproductions of the Contract Plans and Contract Documents necessary for construction of the project for distribution to the Contractors, Sub-Contractors, Utilities, and Suppliers prior to the date for receipt of construction bids.

G. Prepare and submit the Environmental Statement and Design Study Report from data furnished by the Engineer.

H. Street lighting design indicating pole spacing, size and type of luminaire, wiring, etc.

I. Number, location and species of all new tree plantings in right of way.

Right of Way Plans (Phase I) submitted within
Fifteen (15) Calendar Days
after written approval of Preliminary Engineering Design.

Final Contract Plans (Phase II) completed within
Sixty (60) Calendar Days
after written authorization to proceed with
Final Engineering Design and approval of regulatory
Governmental Agencies.

The above timetable shall be subject to documented dealys due to required approval by regulatory Governmental Agencies.

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The Owner shall furnish the Engineer with the following:

A. Criteria for design and detail such as project limits, pavement and median widths, grades, curves, sight distances, clearances, design loadings, etc.

B. Any necessary soil borings or assist in subsurface investigations that may be required for the engineering design.

C. Reproducible Roadway and/or Bridge Standards required for construction of the project including the Owner's Standard Title sheet and Construction Identification Sign to be incorporated into the Contract Plans.

D. Guaranty of Title, requirements for Land Plat preparation, the Owner's Standard Instrument necessary for Right of Way Acquisition upon which Legal Description is to be placed.

E. Prepare or cause to be prepared all advertisements for bids and cause same to be properly advertised.

F. Furnish the necessary reproductions of the Contract Plans and Contract Documents necessary for construction of the project for distribution to the Contractors, Sub-Contractors, Utilities, and Suppliers prior to the date for receipt of construction bids.

G. Prepare and submit the Environmental Statement and Design Study Report from data furnished by the Engineer.

H. Street lighting design indicating pole spacing, size and type of luminaire, wiring, etc.

I. Number, location and species of all new tree plantings in right of way.

ARTICLE 4. THE ENGINEER'S COMPENSATION FOR SERVICES

A. The Owner for and in consideration of the renderings of the Engineer's Basic Services, Phases I, II and III, herein described, agrees to pay to the Engineer, a fee of Six and one-half percent (6½%) of the construction cost, but the total fee for design shall not exceed $20,600.00. This fee to be paid in the following manner:

Phase I

1. Upon the Engineer's completion of the Design Survey, One percent (1%) of the construction cost, based upon the Engineer's Preliminary Estimate.

2. Upon the completion of other items in Phase I and the Engineer's submission of Preliminary Plans and Preliminary Right of Way Plans to the Owner and other interested governmental agencies One percent (1%) of the construction cost, based upon the Engineer's Preliminary Estimate.

3. Upon the approval of Preliminary Plans and Preliminary Right of Way Plans by the Owner and other interested Governmental Agencies, One percent (1%) of the construction cost, based upon the Engineer's Preliminary Estimate.

Phase II - Final Engineering Design

1. Upon the completion of this phase and the Engineer's submission and approval of Final Plans to the Owner and other interested governmental agencies, Two Percent (2%) of the construction cost based upon the Engineer's Final Estimate.

2. Upon receipt of an acceptable bid Three Quarters of One Percent (0.75%) of the construction cost, based on Actual Bid Price, less previous payments.

Phase III - Construction Phase

For services during the Construction Phase provided in Phase III hereof, the Engineer shall receive compensation of Three Quarters of One Percent (0.75%) of the construction cost, payable monthly in proportion to the Monthly Progress Estimates, providing a total basic percentage fee for Phases I, II and III in the amount of Six and One-half Percent (6½%) of the cost of construction.

B. Optional Basic Services
Phase IV - Resident Engineer and Inspectors

For the Resident Engineer and Inspectors services provided for in Phase IV hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.8, but not to exceed total fee of $25,000.00.

This fee to be paid monthly upon submission of a claim to the Owner.

Phase V - Construction Engineering

For the Construction Engineering provided for in Phase V hereof, the Engineer shall be entitled to receive a fee ~~(in addition to all other phases) in a sum equal to~~ actual hourly rate of personnel involved, times a multiplier of 2.8, but not to exceed a total fee of $12,000.00.

The above fees to be paid following completion of each Phase or Sub-phase and submission of an itemized claim in proportion to services performed as presented in the Monthly Engineering Design Status Reports.

C. Right of Way Documents

The Owner, for and in consideration of the renderings of Engineering Services for the preparation of Legal Descriptions and Land Plats, if requested in writing by the Owner, agrees to pay to the Engineer as follows:

1. For each description requiring a plat, a fee of One Hundred Dollars ($100.00) per description.

2. For each description which does not require a Land Plat, a fee of Fifty Dollars ($50.00) per description.

D. Change in Scope

In the event there is a major change in scope and character of the work after survey or plan work has progressed as directed by the Owner, adjustments in the fee payable to the Engineer as outlined in Article 4A and in the completion schedule as outlined in Article 2 shall be determined through arbitration between the parties to the Agreement.

E. Engineer's Maximum Compensation

The Engineer's Estimated Construction Cost and maximum amount from which the Engineer's Compensation shall be computed for Phases I, II and III is Three Hundred Sixteen Thousand Dollars ($316,000.00).

F. Additional Services

In the event that the Engineer is directed by the Owner to cause to be made borings and detailed estimates of right of way Cost, or other additional services not covered in Phases I through V, the Engineer shall be reimbursed by the Owner for the actual cost of such services at payroll times a multiplier of 2.5.

ARTICLE 5. WORKMEN'S COMPENSATION AND LIABILITY INSURANCE

A. The Engineer agrees to purchase and maintain at his expense the following kinds and amounts of insurance:

B. A policy covering the obligation of the Engineer in accordance with the provisions of the WORKMEN'S COMPENSATION LAW of the State of Indiana.

C. Policies of Bodily Injury Liability and Property Damage Liability Insurance with limits of liability of not less than One Hundred Thousand Dollars ($100,000.00) for each damage claim arising out of bodily injury, and not less than Three Hundred Thousand Dollars ($300,000.00) for all damages arising out of bodily injury, including death at any time resulting therefrom, sustained by two or more persons in any one accident; and not less than Fifty Thousand Dollars ($50,000.00) for all damages arising out of injury or destruction of property in any accident, nor less than One Hundred Thousand Dollars ($100,000.00) for all damages arising out of injury to or destruction of property suffered by two or more persons for any one accident.

ARTICLE 6. ABANDONMENT AND TERMINATION

A. Abandonment. If the Owner shall abandon the services described herein, the Engineer shall deliver to the Owner all survey notes, drawings, specifications and estimates completed or partially completed, and these shall become the property of the Owner. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the Engineer to the date of abandonment, as reported under Article I, and which may be mutually agreed upon by the Owner and the Engineer. The Payment as made to the Engineer shall be paid as a final payment in full settlement of his services hereunder.

B. Termination. This Agreement may be terminated by either party by seven (7) days written notice by mutual agreements; or in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If this Agreement is terminated, the Engineer shall be paid for the extent of services performed by him to the termination notice date.

ARTICLE 7. OWNERSHIP OF DOCUMENTS

A. All documents, including tracings of Contract Plans and Drawings, Cost Estimates, Specifications, Design Survey, Right of Way Documents, Field Notes, Information from Investigations and Studies, Computations, Written Approvals from Governmental Agencies, etc., as instruments of service, are to be the property of the Owner. During the performance of the Engineering Services, herein provided for, the Engineer shall be responsible for any loss or damage to the Documents, herein enumerated, while they are in his possession, and any such loss or damage shall be restored at his expense. Full access to the work during the preparation of the Contract Plans shall be available to the Owner and at the discretion of the Owner to other governmental agencies interested in this work.

B. Upon completion and final approval of the work by the Owner, the Engineer shall deliver to the Owner all design documents.

ARTICLE 8. NON-DISCRIMINATION

A. The Engineer shall not discriminate against any employee or applicant for employment to be employed in the performance of this Agreement, with respect to his hire, tenure, terms, conditions or privileges of employment because of his race, color, religion, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the Agreement.

ARTICLE 9. SUCCESSORS AND ASSIGNS

A. Except as otherwise herein provided, the rights and obligations created by this Agreement shall run to the benefit of and shall be binding upon the heirs, executors, administrators, assigns, and successors in interest of the parties hereto.

ARTICLE 10. SPECIAL PROVISIONS

A. The Engineer hereby designates Mr. Hubert L. Longest, Jr. as project engineer for the proposed Project and shall not change project engineers without written approval from the Owner.

BEAM, LONGEST & NEFF, INC.

BY: Hubert H Longest
Hubert L. Longest, Jr.,
President

ATTEST:
Wilbur F. Wilson
Secretary

ACCEPTANCE OF PROPOSAL

BOARD OF PUBLIC WORKS

Dr Boswell
Dr. Jerry D. Boswell, Chairman

Ronald L Bonar
Mr. Ronald L. Bonar, P. E.

William G. Williams
Mr. William G. Williams

Ivan A. Lebamoff
Mayor Ivan A. Lebamoff

APPROVED as to form and legality

John Logan, Associate City Attorney

ATTEST:
Edna I. Smith
Edna I. Smith, Executive Secretary
Board of Public Works

ALLEN COUNTY RECORDER

1973 MAR 1 AM 8 06

Original Deed
Dave Keller, City

73 04944

SHERIFF'S DEED

THIS INDENTURE, made this 28th day of February, 1973, from Robert A. Bender, Sheriff of Allen County, Indiana (hereinafter "Sheriff"), to the City of Fort Wayne, Indiana (hereinafter "City"), WITNESSES THAT:

WHEREAS, on December 20, 1972, judgment was rendered in the case of "American Fletcher National Bank and Trust Company v. Indiana Suburban Sewers, Inc., Suburban Services, Inc., and John Dehner, Inc.", Cause No. S-72-1482 in the Allen Superior Court in favor of American Fletcher National Bank and Trust Company ("American Fletcher") for the amount of $895,644.31 and in favor of John Dehner, Inc. ("Dehner") in the amount of $154,880.35, and against the defendants Indiana Suburban Sewers, Inc., and Suburban Services, Inc. ("Defendants"), and said judgment and decree ordered the sale of the property hereinafter described and all right, title, interest and claim of the Defendants in and to said property, without relief from valuation or appraisement laws; and

WHEREAS, under date of December 22, 1972, a copy of said judgment and decree was duly issued under the seal of the Court, certified by the Clerk thereof, directed to the Sheriff, commanding him to sell said property and apply the proceeds therefrom in payment of said judgment with interest and costs thereon; and

WHEREAS, said copy of judgment and order of sale on January 19, 1973, came to the hands of the Sheriff to be executed and the Sheriff having duly and legally advertised the same, did on the 28th day of February, 1973, at the east door of the Allen County Courthouse in the City of Fort Wayne, between the hours of 10:00 a.m. and 4:00 p.m.,

LY ENTERED FOR TAXATION
FEB 28 1973
Dorothy E. Raver
AUDITOR OF ALLEN COUNTY

Dave Keller

Instrument F 11822

4.50

Form 1929

~~59~~-151-6
3/-/73

Improvement Resolution

FOR STREET OR ALLEY

No. 5628 -1973

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve the alley between Kinnaird Avenue and Packard Avenue

from the west property line of the first alley west of Beaver Avenue

to the east property line of the second alley west of Beaver Avenue

By draining, curbing, grading and paving the roadway to a uniform width of ten (10) feet with ~~Sheet Asphalt, Asphaltic Concrete upon a six (6) inch Concrete foundation, or with 8" Macadam, 2" Binder and 1" Asphalt Top~~ Six (6) inch Plain Concrete

6" Plain Concrete

all in accordance with the profile, detail-drawing and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

A maximum cost of $5.00 per front foot ~~The total cost of said improvement, excepting the cost of street and alley intersections,~~ upon the real estate abutting on said alley shall be assessed property within 150 feet of the line of the alley as above described and on the balance of the total cost to be improved, and/upon the City of Fort Wayne, Indiana, ~~to the extent of the street and alley intersections.~~ All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Muncipal Corporation," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred, are to be paid in ten equal installments, with interest at the rate of ~~five(5)~~ six(6) per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

Adopted, this 5th *day of* March, 1973

BOARD OF PUBLIC WORKS:
J. W. Boswell
Ronald L Bonar

CALHOUN PRESS

SEWER EASEMENT RESOLUTION NO. 109-1972

(TEMPORARY & PERMANENT)

ALL ACTION RESCINDED
7/19/73

For the Condemnation of temporary and permanent sewer easement purposes to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Lot Numbered 120 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for sewer easement purposes across, through and under a portion of Lot Numbered 120 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121, more particularly described as follows:

PERMANENT EASEMENT:

The North 14 feet of the platted lot Numbered 120 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

TEMPORARY EASEMENT:

The South 20 feet of the North 34 feet of the platted Lot Numbered 120 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments, if deferred, are to be paid in ten equal installments with interest at the rate of six (6) percent per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such monies as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

All streets, lots and land affected by the above described condemnation are situated in the Southeast quarter, Section 6, Township 30 North, Range 13 East and lie fully within the corporate limits of the City of Fort Wayne, Indiana.

This temporary sewer construction easement shall expire one year from the date of adoption.

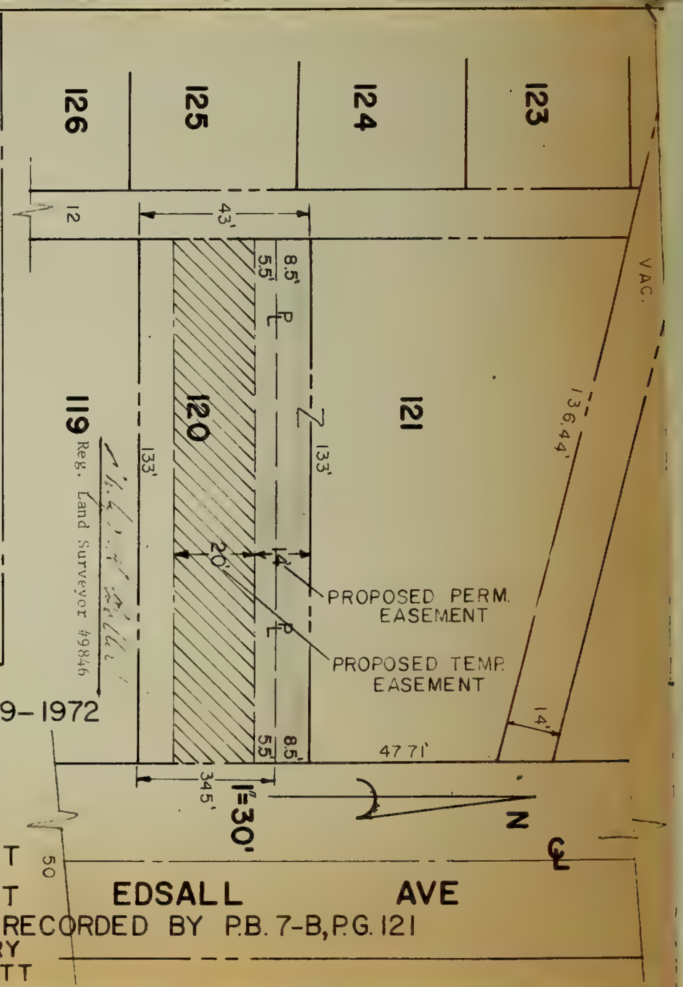
Adopted this 1st day of March 1973

Ronald L. Bonar

Board of Public Works

Attest;
Edna L. Smith
Clerk

Reference Resolution No. 842-1972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PROPOSED PERM. EASEMENT
PROPOSED TEMP. EASEMENT
Reg. Land Surveyor #9846
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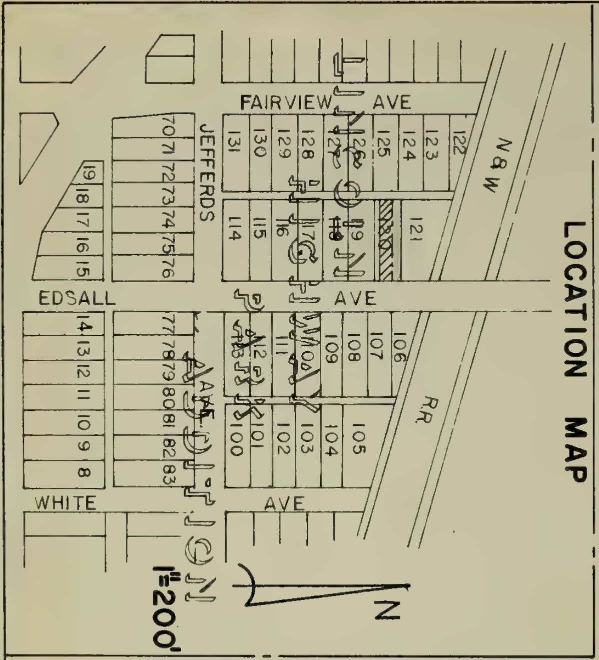
EDSALL AVE

LOCATION MAP


N&W
R.R.
FAIRVIEW AVE
EDSALL AVE
WHITE AVE
JEFFERDS AVE
EDSALL
WHITE
LINCOLN HIGHWAY PARK ADDITION
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1"=200'

SEWER RESOLUTION–EASEMENT NO. 109–1972
FOR
EDSALL AVE SANITARY SEWER
RES. 842

┄ PROPOSED PERMANENT EASEMENT
▨ PROPOSED TEMPORARY EASEMENT

LINCOLN HIGHWAY PARK ADDITION AS RECORDED BY P.B. 7-B, P.G. 121
PREPARED BY D. EMBURY
DRAWN BY J. CONNETT

Res 109-1972

59-153-3

Sent to WPC-[illegible]
for recording
4/3/74

59-153-2 H
3/1/73

ALL ACTION RESCINDED 7/19/73

LOCAL SEWER IMPROVEMENT RESOLUTION

NO. 842, 19 72

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a local sewer, intended and adopted only for local use by the property holders whose property abuts thereon, and not intended or adapted for receiving sewage from collateral drains, be and the same is hereby ordered ~~in and~~ ~~along~~

Beginning at a proposed manhole over a 30-inch sanitary sewer located 12 ± Lineal Feet West of and 5 ± Lineal Feet South of the centerline intersection of Edsall Avenue and Dwenger; thence South along the West right-of-way of Edsall Avenue to a proposed manhole located 3 ± Lineal Feet East of and 6 ± Lineal Feet South of the Southeast corner of Lot Numbered 76 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121; thence East 140 ± Lineal Feet, terminating at a proposed cleanout located 6 ± Lineal Feet North of and 12 ± Lineal Feet East of the Northwest corner of Lot Numbered 12 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

LATERAL "A":

Beginning at a proposed manhole located 15 ± Lineal Feet South of and 15 ± Lineal Feet West of the centerline intersection of Edsall Avenue and Jefferds Avenue; thence West 170 ± Lineal Feet along the South right-of-way line of Jefferds Avenue, terminating at a proposed manhole located 5 ± Lineal Feet West of and 10 ± Lineal Feet North of the Northwest corner of Lot Numbered 73 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

LATERAL "B":

Beginning at a proposed manhole located 13 ± Lineal Feet East of and 4 ± Lineal Feet South of the Northeast corner of Lot Numbered 120 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121; thence West along the platted North line of Lot Numbered 120 of said Lincoln Park Addition 150 ± Lineal Feet, terminating at a proposed cleanout situated near the Northwest corner of said Lot Numbered 120 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

Said sewers shall be 10-inches and 8-inches in diameter.

in diameter, and said sewer, with all its appurtenances, shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders whose property abuts there-on, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assess-ments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the pay-ment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 1st *day of* March 19 73

BOARD OF PUBLIC WORKS:

Ronald H. Bond

DECLARATORY RESOLUTION No. 1332 19 73

For the Vacation [redacted] of Dock Street from the east property line of Calhoun Street to the west property line of Barr Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Dock Street from the east property line of Calhoun Street to the west property line of Barr Street.

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] is described as follows: Lots 34 to 45 inclusive and vacated alley all in the Original Plat and space known as Railroad right of way said space and addition are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

[redacted] shall be subject to an easement for the [redacted] maintenance of sewers, City of Fort Wayne, Indiana, [redacted] electric pole lines and conduits, telephone and telegraph pole [redacted]

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section two, Township 30 North, Range 12, East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana

ADOPTED THIS 1st DAY OF March 19 73.

Attest: Edna I. Smith
Secretary Board of Public Works.

Board of Public Works.

59-449-11
2/27/73

DECLARATORY RESOLUTION No. 1336 1973

For the Vacation [redacted] of Barr Street from the north property line of Main Street to the southerly right of way line of the Norfolk & Western Railway Company

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Barr Street from the north property line of Main Street to the southerly right of way line of the Norfolk & Western Railway Company

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] is described as follows: Lots 33,34,63,64 & 65 all in the Original Plat also Lots 1 to 7 inclusive all in Laurents Subdivision. Said Additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section two; Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 27th DAY OF February 1973.

Attest: Edna L. Smith
Secretary Board of Public Works.

Ronald L. Bowman
William D. Williams
Board of Public Works.

59-149-10
4/27/73

DECLARATORY RESOLUTION No. 1335 1973

For the Vacation [redacted] of the first alley east of Barr Street from the north property line of Main Street to the south property line of Columbia Street

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley east of Barr Street from the north property line of Main Street to the south property line of Columbia Street.

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] is described as follows: Lots 28, 29, 31 and 32 all in County Addition said Addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

[redacted] of the above described ______ shall be subject to an easement [redacted] City of Fort Wayne, Indiana, and [redacted] and maintenance of sewers, [redacted] electric pole lines and conduits, telephone and telegraph [redacted]

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Two, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana

ADOPTED THIS 27th DAY OF February 1973.

Attest: Edna L. Smith
Secretary Board of Public Works.

Ronald L. Bonar

Board of Public Works.

DECLARATORY RESOLUTION No. 1334 1973

For the Vacation [redacted] of the first alley north of Main Street from the east property line of Clinton Street to a point approximately 215 feet east of the east property line of Lafayette Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley north of Main Street from the east property line of Clinton Street to a point approximately 215 feet east of the east property line of Lafayette Street

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - Opening - Condemnation of right of way for utility purposes is described as follows: Lots 58 to 70 inclusive and the vacated alley all in the Original Plat also space east of Lot 64 of the Original Plat, also Lots 21 to 24 inclusive, Lots 26 to 29 inclusive, Lots 31 to 37 inclusive, Lot 72 all in County Addition also Lot 1 and Lot 9, Laurents Subdivision. Said space and Additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

[redacted] of the above described ______ shall be subject to an easement [redacted] City of Fort Wayne, Indiana, [redacted] and maintenance of sewers, [redacted] electric pole lines and conduits, telephone and telegraph [redacted]

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Two, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana

ADOPTED THIS 27th DAY OF February 1973.

Attest: Edna L. Smith
Secretary Board of Public Works.

Ronald L. Bonar
Vivian D. Williams
Board of Public Works.

59-148-8
2/27/73

DECLARATORY RESOLUTION No. 1333 1973

For the Vacation - [redacted] of Columbia Street from the east property line of Calhoun Street to the west property line of Lafayette Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Columbia Street from the east property line of Calhoun Street to the west property line of Lafayette Street.

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] is described as follows: Lots 33 to 45 inclusive; Lots 52 to 64 inclusive and the vacated alleys all in the Original Plat also Lots 10 to 13 inclusive; Lots 26 to 29 inclusive; Lot 72 and the vacated alley all in County Addition also Lots 267 and 305 in Samuel Hanna's First Addition also space east of said Lot 64 in the Original Plat. Said space and additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

[redacted] shall be subject to an [redacted] he City of Fort Wayne, Indiana [redacted] and maintenance of sewers, [redacted] gas mains, electric pole lines and conduits, telephone and [redacted]

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section two, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 27th DAY OF February 19 73.

Attest: Edna L. Smith
Secretary Board of Public Works.

Ronald L. Bonar
Board of Public Works.

57-146-1 H

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

73 03595

WARRANTY DEED

This indenture witnesseth that JANET SUNDHEIMER, unmarried and over the age of 21 years,

of Allen *County in the State of* Indiana

Conveys and warrants to CITY OF FORT WAYNE,

of Allen *County in the State of* Indiana,
for and in consideration of other valuable considerations and the sum of $1.00 *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

The West 90 feet of the North 61 5/10 feet of Lot Number 1 Anthony Hiblers Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof.

Subject to all taxes and assessments.

1973 FEB 14 AM 9 05
ALLEN COUNTY RECORDER
Irene Linker

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 13th *day of* February 1973 *personally appeared:* Janet Sundheimer, unmarried and over the age of 21 years.

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires October 13 1976

Edna L. Smith
Notary Public

Dated this 13th **Day of** February 1973

Janet Sundheimer *Seal*
Janet Sundheimer

Seal

DULY ENTERED FOR TAXATION *Seal*

FEB 14 1973 *Seal*

Dorothy E. Raver
AUDITOR OF ALLEN COUNTY *Seal*

Seal

This instrument prepared by JOHN H. LOGAN *Attorney at Law*

Instrument F 11253

MAIL TO: Board of Works
Will Pick up
3043 S. Lafayette — For payment of taxes

COPYRIGHT THE ALLEN COUNTY INDIANA BAR ASSOCIATION, INC. 1957

2.50

WATER MAIN IMPROVEMENT RESOLUTION

No. 1004, 1972

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a system of water mains, intended and adopted for local use by the property holders in the tract to be improved and also the requirements of other real estate to be served with extensions, be and the same is hereby ordered in and along Lemar Dr., Autumn View Dr., Ridgeway Dr., Dexter Dr., Dellview Dr., Stinson Dr., Castle Dr., Oakwood Dr. and Chandler Dr. all in Eastland Gardens Addition Section "B".

said water main(s), with all its (their) appurtenances, shall be constructed in accordance with the plans and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders benefited, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Improvements, in or for the benefit of recorded platted additions to and/or within cities and towns." Approved May 16, 1927 and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 20th *day of* February 1973

BOARD OF PUBLIC WORKS:

Ronald L Bohar

59-132-6 #1
2/15/73

BILL NO. S-73-02-

SPECIAL ORDINANCE NO. S- 11-73

AN ORDINANCE authorizing the Board of Public Works to bid at a foreclosure sale of properties belonging to INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC.

WHEREAS, it is essential to the present and future health, and to the future development, of the City of Fort Wayne, that the City and its environs be served with an adequate sewage disposal system operating under sound and financially responsible management; and

WHEREAS, as long ago as the mid-1960's the City of Fort Wayne had received many requests to extend its sewer services into an area in Adams and Marion Townships lying southeast of its municipal limits and south of the Maumee River, which area even then suffered from a sewage pollution problem and which area is more specifically described in Exhibit A attached hereto; and

WHEREAS, the City of Fort Wayne had proposed to construct an interceptor sewer in the northern portion of said area, which construction was contingent upon certain federal funds becoming available, which contingency did not occur; and

WHEREAS, when it was learned that federal funds would not be available for the construction of said interceptor sewer, the City of Fort Wayne entered into an agreement with INDIANA SUBURBAN SEWERS, INC., which agreement was dated March 17, 1966 and which agreement was approved in Special Ordinance 280-66 which ordinance was adopted by the Common Council of the City of Fort Wayne on April 29, 1966; and

WHEREAS, said agreement provided, in general, that INDIANA SUBURBAN SEWERS, INC. would construct a sewer system within the aforesaid area; that said system would conform with the standards and specifications of the City of Fort Wayne; that the City of Fort Wayne would treat sewage collected by INDIANA SUBURBAN SEWERS, INC. within the aforesaid area; that INDIANA

SUBURBAN SEWERS, INC. would compensate the City of Fort Wayne for such treatment; and that the City of Fort Wayne would have an option to purchase the sewer system of INDIANA SUBURBAN SEWERS, INC. within the aforesaid territory; and

WHEREAS, said agreement was approved by the Public Service Commission of Indiana, subject to certain exceptions not here material, by Order dated September 1, 1967 in Cause No. 31154; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. entered into an agreement with SUBURBAN SERVICES, INC. under which the latter was to construct the sewage disposal system contemplated by the aforesaid agreement between the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. ; and

WHEREAS, the construction work on said sewer system had progressed to such a point that INDIANA SUBURBAN SEWERS, INC. was rendering sewage disposal service within the aforesaid area by the year 1969; and,

WHEREAS, the City of Fort Wayne began, in 1969, to treat sewage collected by INDIANA SUBURBAN SEWERS, INC.; and

WHEREAS, the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. have been engaged in controversy as to the compensation INDIANA SUBURBAN SEWERS, INC. is to pay the City of Fort Wayne for treatment of sewage; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. has paid no compensation to the City of Fort Wayne for treating its sewage; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. have become delinquent in their accounts with certain secured creditors; and

WHEREAS, for many months the City of Fort Wayne has been concerned over the slowness with which construction of the sewer system was progressing and the City of Fort Wayne has been receiving, and continues to receive, requests for sewer service from persons situated within the aforesaid area described in Exhibit A; and

WHEREAS, the financial difficulties of INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. had become so serious by the winter of 1970-71 that the City of Fort Wayne, and INDIANA SUBURBAN SEWERS, INC. began negotiations looking toward the amendment of the aforesaid agreement so as to permit the City to purchase a portion of the aforesaid sewer system, thus providing funds with which INDIANA SUBURBAN SEWERS, INC. could meet its obligations in part, and thus providing Fort Wayne with operating control over a portion of said system and the right to receive and ob tain all revenues accruing from the operation of such portion; and

WHEREAS, the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. entered into an agreement signed by the Board of Public Works of the City of Fort Wayne under date of November 23, 1971, accepted by INDIANA SUBURBAN SEWERS, INC. under date of December 6, 1971, and approved in Special Ordinance No. S-773-71 adopted by the Common Council of the City of Fort Wayne on December 28, 1971; and

WHEREAS, said agreement, among other things, would have effected an amendment of the earlier agreement between the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. and would have permitted the City of Fort Wayne to purchase a portion of the aforesaid sewer system for the sum of One Million Thirty Seven Thousand Dollars ($1,037,000), against which delinquent service charges were to be credited; and,

WHEREAS, said purchase price was based upon an appraisal by H.B. Steeg and Associates in the fall of 1970, which appraisal has been reviewed and approved by the City Engineer and which sum was nearly Six Hundred Thousand Dollars ($600,000.00) less than the sum requested by INDIANA SUBURBAN SEWERS at the beginning of such negotiations; and

WHEREAS, the parties became embroiled in controversy before the Public Service Commission of Indiana with regard to the description to the portion of the aforesaid sewer system which would have been sold pursuant to said agreement executed in 1971; and

WHEREAS, by order dated December 22, 1972, in Cause No. 32 876 said Public Service Commission of Indiana refused to approve said agreement executed in 1971; and

WHEREAS, on December 20, 1972 the Allen Superior Court had entered judgment against INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC., in Cause No. S-72-148, which action was captioned American Fletcher National Bank and Trust Company, plaintiff vs. Indiana Suburban Sewers, Inc. and Suburban Services, Inc., defendants and John Dehner, Inc., defendant and cross-complainant; and

WHEREAS, said judgment ordered that American Fletcher National Bank and Trust Company recover from INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. jointly and severally the sum of Eight Hundred Ninety-Five Thousand Six Hundred Forty-Four Dollars and Thirty-One Cents ($895,644.31), together with interest and costs, and said judgment further ordered that JOHN DEHNER, INC. recover from INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC., jointly and severally, the sum of One Hundred Fifty-Fourt Thousand Eight Hundred Eighty Dollars and Thirty-Five Cents ($154,880.35); and

WHEREAS, said judgment further ordered the sale on foreclosure of all real estate, including without limitation, easements, rights of way, and other interests which have been acquired for the purpose of installing a sewage disposal system, and all property of any and every kind whatsoever, both real and personal, including without limitation, all pipes, sewers, interceptors, mains, laterals, manholes, meters, valves and all connections and appurtenances thereto, which have been constructed, and all chattels, fixtures, and intangibles which have been acquired, within the rural area southeast of the City of Fort Wayne, Indiana, which has been franchised to Indiana Suburban Sewers, Inc., as a public utility, in Certificate of Territorial Authority No. 61 issued by the Public Service Commission of Indiana on September 1, 1967, in PSCI Cause No. 31154, and also including said Certificate of Territorial Authority and all franchise rights thereunder, which is set forth in the mortgage recorded January 13, 1969, in the office of the Recorder of Allen County, Indiana, as Instrument No. 723 in Book 932 at pages 361 and following, and all right, title, interest and claims of the defendants Indiana Suburban Sewers, Inc., and Suburban Services, Inc., and of all persons claiming by, from, under or through them to said mortgaged property; and

WHEREAS, the purchase of said property on foreclosure by the City of Fort Wayne would enable the City to begin operating so much of the sewer system as is completed, and to complete and operate the remainder of said system, thereby permitting the City to receive the revenues derived from said operation and freeing the City from dependence upon INDIANA SUBURBAN SEWERS, INC. as to the operation and speed of construction of the sewer system, from additional controversy with INDIANA SUBURBAN SEWERS, INC.; and

WHEREAS, there are adequate funds in the depreciation account of the Sewer Utility of the City of Fort Wayne to pay the aforesaid price of One Million Thirty-Seven Thousand Dollars ($1,037,000.00) for said property; and

WHEREAS, the Common Council of the City of Fort Wayne has previously adopted an ordinance authorizing the purchase of the above described property and wishes to rectify the purpose of said ordinance, to acknowledge the fact that the delinquent sewer charges owed the City of Fort Wayne by INDIANA SUBURBAN SEWERS will represent only a small part of the purchase price and that additional funds will be required in a substantial amount from the depreciation account of the Sewer Utility of the City of Fort Wayne; and

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Board of Public Works of the City of Fort Wayne is hereby authorized to purchase all the above described property to be sold at the foreclosure sale to be held by the Sheriff of Allen County, Indiana pursuant to the aforesaid judgment for a sum not to exceed One Million Thirty Seven Thousand Collars ($1,037,000.00), which money shall be taken from the depreciation fund of the Sewer Utility of the City of Fort Wayne;

SECTION 2. The rates to be charged the several classes of users or property served shall be comparable to those charged other users and property in like circumstances.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Councilman

EXHIBIT A

Parts of Adams Township and Marion Township located in Allen County, Indiana, consisting of approximately 7,700 acres being described in detail as follows:

Beginning at a point located on the South bank of the Maumee River and on the West line of Section 9, T 30 N, R 13 E; thence Easterly following the meanderings of the South bank of the Maumee River to the Parrot Road; thence continuing Easterly along the Parrot Road to the common property line between properties now or formerly owned by Terminal Service and Betty A. and B. G. Hiscox; thence South on said common property line to the N.Y.C. Railroad; thence Easterly along the N.Y.C. Railroad to the East line of Section 10, T 30 N, R 13 E; thence South on the said East line of Section 10 to the Norfolk & Western Railroad; thence Westerly along said railroad to the Northerly extension of Meadowbrook Drive; thence South on said extension to U.S. 24; thence West on U.S. 24 to the Northerly extension of the West line of Meadowbrook Addition; thence South on said West line to the South line of Section 10, T 30 N, R 13 E; thence East on said South line of Section 10 to the Northeast corner of Section 15 in T 30 N, R 13 E; thence South on the said East line of Section 15 to Seiler Road; thence continuing South on the East line of Section 22, T 30 N, R 13 E, to the Pennsylvania Railroad; thence Northwesterly along the Pennsylvania Railroad to the East and West centerline of said Section 22; thence Westerly on said East and West centerline of Section 22 to the center of said Section 22; thence South on the North and South centerline of said Section 22 to the North line of the SE 1/4 of the SW 1/4 of said Section 22; thence West on said North line to the West line of the East half of the SW 1/4 of said Section 22; thence South on said West line to Paulding Road; thence continuing South on the East line of the West 1/2 of the NW 1/4 of Section 27, T 30 N, R 13 E to the East and West centerline of said Section 27; thence West on said East and West centerline of Section 27 to the Northwest corner of a 50.37 acre property now or formerly owned by Clarence F. and E. E. Koening; thence South on the West line of said property to Tillman Road; thence East along Tillman Road to the common property line now or formerly owned by Clement H. and F. Smith and Paul H. and R. Seddelmeyer; thence South on said common property line and the Southerly extension thereof to Maples Road; thence East on Maples Road to the North and South centerline of Section 3, T 29 N, R 13 E; thence South on said North and South centerline of Section 3 to the center of said Section 3; thence West on the East and West centerline of said Section 3 to the Marion Center Road; thence South on said Marion Center Road to the common property line between the properties now or formerly owned by Herbert and Hilda Lepper and Arthur H. and Ella Doctor; thence West on said common property line to the North and South centerline of Section 4, T 29 N, R 13 E; thence North on said centerline of Section 4 to the center of said Section; thence West on the East and West centerline of said Section 4 to Trentman Road; thence continuing West on the East and West centerline of sections 5 and 6, T 29 N, R 13 E, to U.S. 27; thence Northwesterly along U.S. 27 to the North and South centerline of Section 31, T 30 N, R 13 E; thence North on said North and South centerline of Section 31 to the South property line of an 18.22 acre property now or formerly owned by Charles K. and E. E. Wians; thence following the Southerly line of the afore described Winans property to the Old Decatur Road; thence Northwesterly along the

Old Decatur Road to Anthony Boulevard; thence North on Anthony Boulevard to the North line of Curdes South Acre Addition; thence East on said North line to the West line of Eastland Gardens Addition, Section B; thence North on said West line to the North line of said Addition; thence East on the North line of said Addition to the West line of Hickory Grove Addition; thence North on the West line of Hickory Grove Addition, Sections A, B, C, and D to the North line of Hickory Grove Addition, Section D; thence East on the North line of said Addition to Hessen Cassel Road; thence South on Hessen Cassel Road to the East and West centerline of Section 29, T 30 N, R 13 E; thence East on said line to the West line of a 30.48 acre property now or formerly owned by Fred B. and A. M. Buescher; thence North on the West line of said property to the North line thereof; thence East on the North line of said property to the Trier Ditch; thence South along the Trier Ditch to the East and West centerline of said Section 29; thence East on said centerline to the center of said Section 29; thence South on the North and South centerline of said Section 29 to Tillman Road; thence West on Tillman Road to Hessen Cassel Road; thence South on Hessen Cassel Road to the South line of the North 1/2 of the NW 1/4 of Section 32, T 30 N, R 13 E; thence East on said South line of the North 1/2 to the North and South centerline of said Section 32, thence North on said North and South centerline of Section 32 to Tillman Road; thence East on Tillman Road to the West line of the NE 1/4 of the NE 1/4 of Section 32, T 30 N, R 13 E; thence South on the West line of aforesaid NE 1/4 of the NE 1/4 to the South line thereof; thence East on the South line of said NE 1/4 of the NE 1/4 to Trentman Road; thence North on Trentman Road and the Northerly extension thereof, to the South line of a 9.3 acre tract now or formerly owned by Alfred N. Bade; thence East on the South line of said tract to Wayne Trace; thence Northwesterly along Wayne Trace to the North line of said Bade tract; thence West on the North line of said Bade tract to the East line of Section 29, T 30 N, R 13 E; thence North on the East line of said Section 29 to the East and West centerline of Sections 28 and 29, T 30 N, R 13 E; thence East along said East and West centerline to the East line of properties now or formerly owned by the New Haven Public Schools; thence North on the East line of said tract; thence West on the North line of said tract to Wayne Trace; thence Northwesterly on Wayne Trace to the North line of Southwick Village Addition; thence West on said North line to the Trier Ditch; thence North along the Trier Ditch to Paulding Road; thence West on Paulding Road to the North and South centerline of Section 20, T 30 N, R 13 E; thence North on said North and South centerline of Sections 20 and 17 to the Moeller Road; thence East on Moeller Road to the Pennsylvania Railroad; thence North on the West line of a 22.61 acre property now or formerly owned by Harbock Realty Company, Inc.; thence East on said North line to Meyer Road; thence North on Meyer Road to the South line of a 25.2 acre tract now or formerly owned by International Harvester Company; thence East, North and West on the perimeter of said tract to Meyer Road; thence North on Meyer Road to the Wabash Railroad; thence East along said Railroad to East line of a tract now or formerly owned by Gertrude A. Schuckman, et al; thence North on said East line to U.S. #24 and #30; thence West on U.S. #24 and #30 to the West line of the Gladieux Service Station property; thence North on West line of said property to N.Y.C. Railroad; thence East along said Railroad to West line of Section 9, T 30 N, R 13 E; thence North on said West line of Section 9 to a point of beginning.

17-120-10

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE ~~BY A LAWYER~~.

73 01707

WARRANTY DEED

This indenture witnesseth that JOE H. COOK and ANNIE R. COOK, husband and wife, each being over the age of 21 years,

of Allen *County in the State of* Indiana,

Convey and warrant to CITY OF FORT WAYNE,

of Allen *County in the State of* Indiana,
for and in consideration of other valuable considerations and the sum of $1.00, *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

The North twenty-six (26) feet of lot number Two Hundred Eleven (211) in Lewis addition to the City of Fort Wayne.

Subject to the second installment of taxes for the year 1971 due and payable in the fall of the year 1972, which grantee assumes and agrees to pay.

Irene Swihart
ALLEN COUNTY RECORDER
1973 JAN 22 AM 10 24

State of Indiana, Allen **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this 13th., *day of* December 1972 *personally appeared:* Joe H. Cook and Annie R. Cook, husband and wife, each being over the age of 21 years.

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires December 21- 1973.

(Paul C. Reed.) *Notary Public*

Dated this 13th **Day of** December 1972

Joe H Cook **Seal**
Joe H. Cook

Annie R Cook **Seal**
Annie R. Cook

Seal

DULY ENTERED FOR TAXATION **Seal**

JAN 22 1973

Dorothy E Raver **Seal**
AUDITOR OF ALLEN COUNTY

Seal

Instrument F 10523

This instrument prepared by JOHN H. LOGAN *Attorney at Law*

MAIL TO: Board of Public Works Call
Fort Wayne, In. 2524

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250

ACTION OF MORTGAGE FORM NO. 2410 Wm. B. Burford Printing Co., Indianapolis

THIS CERTIFIES, That a certain Mortgage executed by Title Holding Corporation to: Property Service and Investment Corporation, Fort Wayne, Indiana, on the 23 rd., day of April, 19 68, calling for $ 3150.00 and duly recorded in the record of Mortgages of Allen County, State of Indiana in Record No. 912, on page 86-87, has been fully paid and satisfied, and the same is hereby released.

WITNESS our hand and seal, this 12th., day of December, 19 72.

PROPERTY SERVICE AND INVESTMENT CORPORATION

By A. J. Alter A.J.Alter, President.

By Alice L. Alter Alice L. Alter, Secretary.

ALLEN COUNTY RECORDER 1973 JAN 22 AM 8 28

State of Indiana }
Allen County, } ss:

BEFORE ME, Paul C. Reed, a Notary Public xx in and for said County, this 12th., day of December, 19 72 personally appeared A.J.Alter and Alice L. Alter, President and Secretary respectively of Property Service and Investment Corporation acknowledged the execution of the annexed Satisfaction of Mortgage.

WITNESS, my hand and notarial seal.

My commission expires Decmber 21-1973.

(Official Character) (Paul C. Reed.)

This instrument was prepared by Martin P. Torborg, attorney.

Becky 1524

10

S./A. GIBBS ,Attorney and Agent

ALLEN COUNTY 1973 JAN 22

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

Before me, Charlotte A. Claxton, a Notary Public, this 18th day of January, 19 73, personally appeared Colonial Acceptance Corp., an Indiana corporation by S. A. GIBBS, its Attorney and Agent, and acknowledged the execution of the foregoing instrument.

Charlotte A. Claxton

Charlotte A. Claxton ,Notary Public

My Commission Expires: 11-27-75

(S E A L)

THIS INSTRUMENT WAS PREPARED BY JOE T. ADKINS, ATTORNEY, 1700 MISHAWAKA AVENUE, SOUTH BEND, INDIANA.

270

Becky 1524

RELEASE

FOR VALUE RECEIVED, the receipt of which is hereby acknowledge, Colonial Acceptance Corp., an Indiana corporation, does hereby release and discharge any interest which it has in a certain Real Estate Mortgage executed by JOE H. COOK and ANNIE R. COOK, and the property described therein, said Real Estate Mortgage having been duly executed on April 25, 1968 and recorded in the Office of the Recorder of Allen County, Indiana, on April 29, 1968, at 10:35 A.M., in Book 912, Page 216, as Instrument No. 7825, and said Recording Officer is hereby instructed to release and cancel said Real Estate Mortgage from his records.

IN WITNESS WHEREOF, the undersigned has caused this Release to be executed by S. A. GIBBS, its duly authorized Attorney and Agent, this 18th day of January, 19 73.

1973 JAN 22 AM 8 29
ALLEN COUNTY RECORDER

COLONIAL ACCEPTANCE CORP.

By S. A. Gibbs
S. A. GIBBS, Attorney and Agent

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

Before me, Charlotte A. Claxton, a Notary Public, this 18th day of January, 19 73, personally appeared Colonial Acceptance Corp., an Indiana corporation by S. A. GIBBS, its Attorney and Agent, and acknowledged the execution of the foregoing instrument.

Charlotte A. Claxton
Charlotte A. Claxton, Notary Public

My Commission Expires: 11-27-75

(S E A L)

THIS INSTRUMENT WAS PREPARED BY JOE T. ADKINS, ATTORNEY, 1700 MISHAWAKA AVENUE, SOUTH BEND, INDIANA.

270

Becky 7524

[illegible]-1

AGREEMENT

Tillman Road Improvement from Anthony to Hessen Cassel

H. I.

9-119-9 H.I

AGREEMENT AMENDMENT

TILLMAN ROAD IMPROVEMENT FROM ANTHONY TO HESSEN CASSEL

This agreement amendment made this 19TH day of August, 1975, by and between the Allen County Board of Commissioners, hereinafter referred to as County, and the Board of Public Works of the City of Fort Wayne, hereinafter referred to as City.

WHEREAS, City and County entered into an agreement dated January 23, 1973, copy attached, hereinafter referred to as original agreement, and

WHEREAS, City and County are now desirous of clarifying certain provisions of said agreement, and

WHEREAS, this amendment is prepared to set forth the understandings reached between the parties and specifying details necessary to accomplish the original agreement objectives, and

WHEREAS, said proposed improvement includes street pavement with curbs, storm drainage necessary for the shed area, sidewalks and street lights, and

WHEREAS, the County agrees to share in the cost of the street lighting based upon necessary lighting for safety at the intersection of Hessen Cassel and Tillman.

NOW, THEREFORE, the City and County agree as follows:

1. Sidewalks will be included within the City jurisdiction, and those areas of the County jurisdiction where property owners agree to pay the local share.

2. Storm drainage shall be included in the project consistent with the established City-County design criteria and necessary to drain the water shed. Said storm drainage system shall consist of an enclosed conduit along Tillman Road east of Hessen Cassel to a point approximately 400 feet west of Trier Ditch.

3. Federal Funds are contemplated to assist in the construction of this project. The local share shall be divided as follows:

County - 60%
City - 40%

Sidewalk and right-of-way cost are exclusive of the above formula. Right-of-way cost shall be acquired as set forth in the original agreement.

4. All other provisions in the original agreement shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

?-?/-/

H. I.

Anthony to Hessen Cassel

COUNTY

Allen County Board of Commissioners

Jack K. Dunifon

ATTEST:

Allen County Auditor

CITY

Board of Public Works

Carl E. O'Neal

Mayor:

ATTEST:

Clerk

7-11-1

H. I.

AGREEMENT

Tillman Road Improvement from Anthony to Hessen Cassel

This agreement made this 23rd day of January, 1973, by and between the Allen County Board of Commissioners, hereinafter referred to as "County", and the Board of Public Works of the City of Fort Wayne, hereinafter referred to as "City".

WHEREAS, City and County are desirous of improving Tillman Road from Anthony to Hessen Cassel, hereinafter referred to as "Road", and

WHEREAS, said Road lies partially within the corporate limits of the City of Fort Wayne and partially in the County of Allen, and

WHEREAS, the County is planning to improve Tillman Road from Hessen Cassel east to Minnich Road, and

WHEREAS, said Road carries a high volume of traffic, is in a poor state of repairs, and urgently needs improvements,

NOW THEREFORE, the City and County for the considerations hereinafter named agree as follows:

1. City agrees to retain a consulting engineering firm to provide engineering services for said Road. The selection of engineer to be approved by County.
2. City and County agree to share the cost of said Road improvement, including engineering, right-of-way costs, etc., in proportion to their respective jurisdictional areas existing the date of this agreement, e.g., the City shall pay all costs for that section of Road within the City Limits, and the County all costs for that section in the County.

3. Each party agrees to expedite this work to allow for construction at the earliest possible date.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

The commitments made above by the Allen County Commissioners is subject to the approval of funding by the Allen County Council.

COUNTY
Allen County Board of Commissioners

CITY
Board of Public Works, City of Fort Wayne

Ronald L. Bonar

Ivan A. Lebamoff, Mayor

ATTEST:
Dorothy E. Raver
Allen County Auditor

January 16, 1973
Date

ATTEST:
Edna L. Smith

January 22, 1973
Date

59-113-7

DECLARATORY RESOLUTION No. 1331 19 73

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of Putnam Street from the east property line of Harrison Street to the west property line of Calhoun Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Putnam Street from the east property line of Harrison Street to the west property line of Calhoun Street.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - Opening - Condemnation of right of way for utility purposes is described as follows: Lot Nos. 28 and 40, St. Vincent Place Addition and a portion of Lot No. 8, Wells Reserve. Said additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described Street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Thirty Five, Township 31 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 18th DAY OF January 19 73

Attest:
Secretary Board of Public Works.

Boswell
Ronald R. Bonar
Board of Public Works.

DECLARATORY RESOLUTION No. 1330 19 73 7-113-6

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of Calhoun Street from the north property line of Sixth Street to the north property line of Putnam Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Calhoun Street from the north property line of Sixth Street to the north property line of Putnam Street.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - Opening - Condemnation of right of way for utility purposes is described as follows: Lots 35 to 40 and Block "A", all in St. Vincent Place Addition, portion of Lots 1 & 2 and Lot 42, Feeder Addition and part of Lot 8, Wells Reserve. Said additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described Street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Thirty Five, Township 31 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 18th DAY OF January 1973

Attest: Edna L. Smith
Secretary Board of Public Works.

Boswell
Ronald L. Bowers
Board of Public Works.

Irene Swihart
ALLEN COUNTY RECORDER

1973 JAN 17 AM 9 23

17-111-11

73 01289

AGREEMENT
FOR
SANITARY SEWER EXTENSION

THIS AGREEMENT, made in triplicate this 15 day of January, 1973 by and between Bredemeyer's Lunch, Inc., hereinafter referred to as "DEVELOPER", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the DEVELOPER desired to construct a sanitary sewer described as follows:

> Commencing at an existing manhole located on the West side of Bluffton Road and 300 ± feet South of Commercial Drive; thence, Easterly, crossing to the East side of Bluffton Road a distance of 81 ± feet to a proposed manhole; thence, Southerly in and along the East side of Bluffton Road a distance of 265 ± feet, terminating at a proposed manhole.

in accordance with plans, specification and profiles heretofore submitted to the CITY and now on file in the office of the Chief Engineer of the Water Pollution Control Engineering Department of the CITY, and known as Sanitary Sewer To Serve Bredegrau's Tavern, which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the DEVELOPER has an interest, but also adjoining land areas.

WHEREAS, the cost of the construction of said sewer is represented to be $7,500.00, composed of $7,300.00 for construction costs; $200.00 for engineering services.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The DEVELOPER shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY, under private contract with CITY approval. All work and materials shall be inspected by the CITY and conform with all CITY standards and specifications. Upon completion, said sewer shall become the property of CITY and all further maintenance thereafter shall be borne by the CITY.

2. COST OF CONSTRUCTION

The DEVELOPER agrees to pay the entire cost and expense of construction of said sewer, in cash, including CITY engineering fees, and to hold the CITY harmless from any liability for claims connected therewith.

7.50

Becky-7524

3. AREA OF DEVELOPER

Said sewer, when accepted by the CITY, will serve the following described real estate:

> Part of the Northwest Quarter of the Southwest Quarter of Section 34, Township 30 North, Range 12 East, more particularly described as follows:
>
> Beginning at a point on the West line of said Section 794.01 feet South of the Northwest corner of said Southwest Quarter, said point also being a certain tract of real estate conveyed to Siemon J. Dettmer and Gertrude Dettmer in Deed Record 457, Page 52; thence running South on and along said West line a distance of 165 feet to a point; thence running East a distance of 575.5 feet to a point; thence running North a distance of 165 feet to the point on the South line of real estate described in said Deed Record 457, Page 52; thence on and along said South line a distance of 575.5 feet to the POINT OF BEGINNING.

As the DEVELOPER will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard monthly service charges, tap-in and inspection fees as are customarily charged by the CITY for connection to CITY sewer mains.

4. CHARGE AGAINST EXCESS AREA

Said sewer, when constructed, will also serve the additional or excess area in parts of the Southwest Quarter of Section 34, Township 30 North, Range 12 East, more particularly described as the South 187 feet of the North 794.01 feet of West 200 feet, as described in Deed Record Book 457-52 and South 260 feet of the North 607.01 feet of the West 200 feet, as described in Deed Record Book 474-510, in the Recorder's Office in Allen County, Indiana, as shown on attached EXHIBIT "A".

In the event any present or future owner of said described excess area shall at any time within fifteen (15) years after the date of this contract, desire to use said sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local lines to service such land; CITY, through its duly constituted authorities, before permitting such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to CITY in addition to the cost of standard tap-in and inspection fees, the sum of $0.061274509 cents per square foot for the area served by each such connection and use, which represents the fair share of the cost of the extension of CITY sewer to said excess area. EXHIBIT "A", showing properties in excess area subject to charge for construction and use of sewer as of this date is attached.

The amount so collected by the CITY, over and above the first Two Hundred Dollars ($200.00), shall be paid by the CITY within sixty (60) days of the receipt thereof by CITY to DEVELOPER. The first Two Hundred Dollars ($200.00) so collected shall be credited to Work Order No. 82353 of the Water Pollution Control Engineering Department for engineering services.

5. BOND

This Contract is subject to DEVELOPER furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the CITY.

6. GOVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1968 supplement, Section 48-3963, 3964 and 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER:
Bredemeyer Hungh Inc.
Robert E Schaper Sect.

CITY OF FORT WAYNE, INDIANA:
By Ivan A. Lebamoff
(Ivan Lebamoff) Mayor

BOARD OF PUBLIC WORKS
By Jerry D. Boswell
(Jerry D. Boswell), Chairman
By Ronald L Bonar
(Ronald L. Bonar), Member
By William G. Williams
(William G. Williams), Member
JAN 15 1973

ATTEST:
Clerk

Approved as to form and legality:
~~Associate~~ City Attorney

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ivan Lebamoff, Mayor, Jerry D. Boswell, Chairman, Ronald L. Bonar and William G. Williams, Members of Board of Public Works, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 15th day of January, 1973

Anne J. Fox
Notary Public

My Commission Expires:
March 6, 1976

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Bredemeyer's Lunch, Inc., who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 29th day of December, 1972.

Audrey J. Hogan
Notary Public

My Commission Expires:
February 22, 1975

This Instrument prepared by Philip R. Boller, Registered Land Surveyor No. 9856, State of Indiana.

SCHEDULE I

Cost Per Square Foot

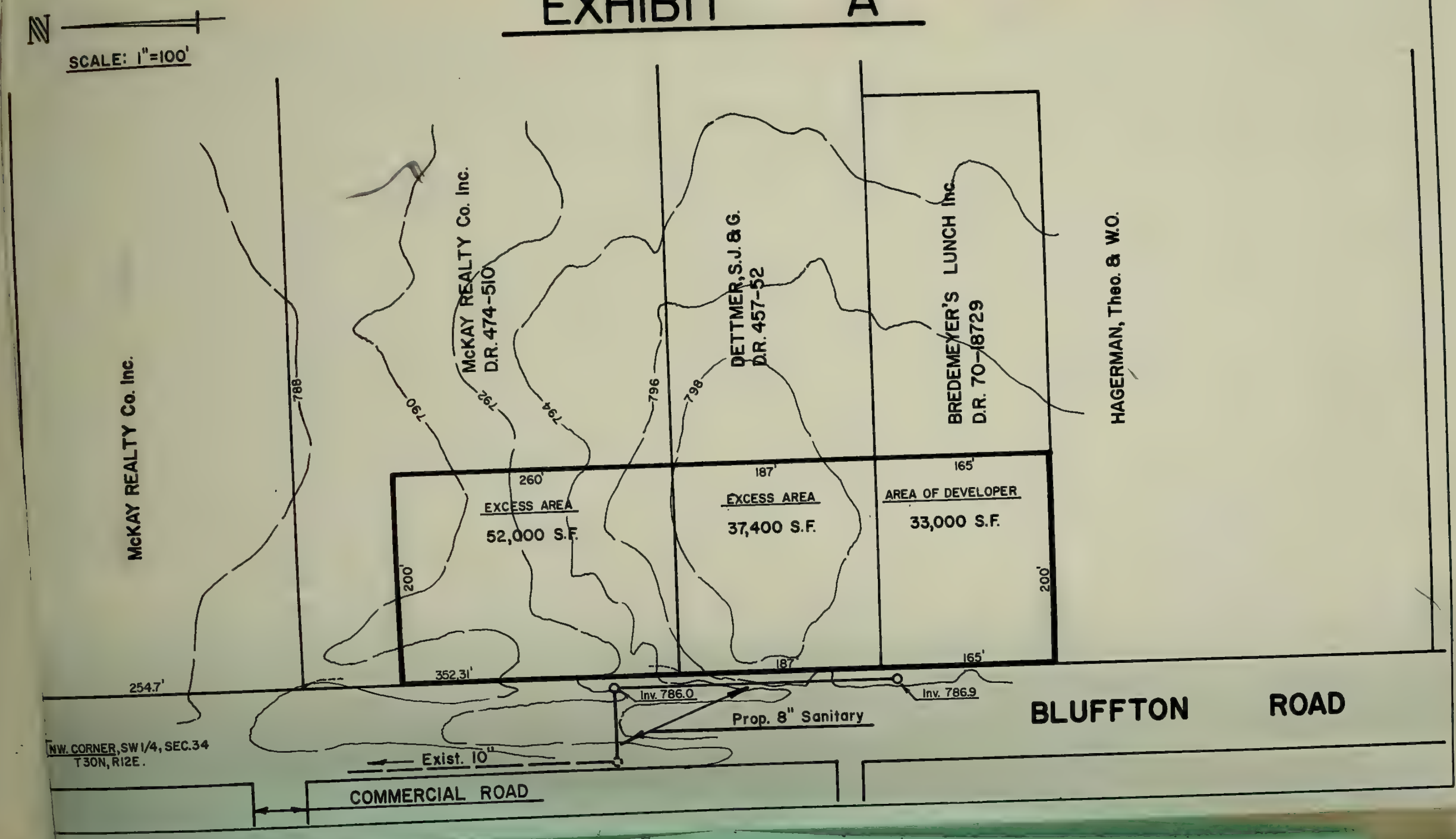
$ 7,300.00	Cost of Construction
200.00	Cost of Engineering Services
$ 7,500.00	Total Cost

$ 7,500.00 Total Cost
122,400 Square Footage Service Area = $0.061274509 Cost Per Square Foot

*Service Area	*Square Footage	Rate	Total Cost	Owner
Space	52,000 X	$0.061274509 =	$3,186.28	McKay Realty Co., Inc.
Space	37,400 X	$0.061274509 =	$2,291.67	Dettmer, S.J. & G.
Space	33,000 X	$0.061274509 =	$2,022.06	Bredemeyer's Lunch, Inc. (DEVELOPER)
	122,400	Totals	$7,500.00	

* Per Exhibit "A"

EXHIBIT "A"


N
SCALE: 1"=100'
McKAY REALTY Co. Inc.
McKAY REALTY Co. Inc.
D.R. 474-510
DETTMER, S.J. & G.
D.R. 457-52
BREDEMEYER'S LUNCH Inc.
D.R. 70-18729
HAGERMAN, Theo. & W.O.
788
790
792
794
796
798
EXCESS AREA
52,000 S.F.
EXCESS AREA
37,400 S.F.
AREA OF DEVELOPER
33,000 S.F.
260'
187'
165'
200'
200'
352.31'
187'
165'
254.7'
Inv. 786.0
Inv. 786.9
Prop. 8" Sanitary
Exist. 10"
NW. CORNER, SW 1/4, SEC. 34
T30N, R12E.
COMMERCIAL ROAD
BLUFFTON ROAD

Irene Swihart
ALLEN COUNTY RECORDER

1973 JAN 17 AM 9 23

73 01290

AGREEMENT
FOR
SANITARY SEWER EXTENSION

THIS AGREEMENT, made in triplicate this ~~9th~~ 15th day of January, 1973 by and between News-Sentinel Broadcasting Company, Inc., hereinafter referred to as "DEVELOPER", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the DEVELOPER desired to construct a sanitary sewer described as follows:

> Commencing at a proposed manhole on an existing 15-inch sanitary sewer, located 19 ± feet West and 300 ± feet North of the Northwest corner of Lot numbered 15 in Arburn Place Addition; thence, Southerly in and along an existing easement a distance of 852 ± feet, terminating at a proposed manhole located 19 ± feet West of the Southwest corner of Lot numbered 24 in Arburn Place Addition.

in accordance with plans, specification and profiles heretofore submitted to the CITY and now on file in the office of the Chief Engineer of the Water Pollution Control Engineering Department of the CITY, and known as Sanitary Sewer To Serve WGL Studios, which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the DEVELOPER has an interest, but also adjoining land areas.

WHEREAS, the cost of the construction of said sewer is represented to be $8,040.00, composed of $7,840.00 for construction costs; $200.00 for engineering services.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The DEVELOPER shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY, under private contract with CITY approval. All work and materials shall be inspected by the CITY and conform with all CITY standards and specifications. Upon completion, said sewer shall be come the property of CITY and all further maintenance thereafter shall be borne by the CITY.

2. COST OF CONSTRUCTION

The DEVELOPER agrees to pay the entire cost and expense of construction of said sewer, in cash, including CITY engineering fees, and to hold the CITY harmless from any liability for claims connected therewith.

Becky 7524

750

3. AREA OF DEVELOPER

Said sewer, when accepted by the CITY, will serve the following described real estate:

> Parts of Lots 2 and 3 in John Godfrey's Partition of Lot 7 of the subdivision by Archange Godfrey in the year 1870 of Richardville Reserve on the West bank of the St. Mary's River, in Township 30 North, Range 12 East, Allen County, Indiana; as recorded in Deed Record 52, Page 54, and subsequently in Circuit Court Order Book 42, Page 352, in the office of the Recorder and Clerk, respectively, of said County, and by metes and bounds, described as follows, to-wit:
>
> Commencing on the South line of said Lot 2, as defined by and coincident with the centerline of the public highway known as the Lower Huntington Road, at a point situated 102.5 feet South 76 degrees, 28 minutes East of the Southwest corner of said Lot 2 and 200.1 feet South 76 degree, 28 minutes East of the point of deflection of the centerline of said highway; thence, Southeasterly on the aforesaid highway centerline 624.8 feet; thence, Northeasterly on a line normal to the said highway center line 975.45 feet; thence, Northwesterly and parallel to the said highway center line 404.7 feet thence South 26 degrees, 15 minutes West a distance of 1,000.00 feet to the POINT OF BEGINNING; containing 11.52 Acres of land, according to a survey thereof by A. K. Hofer, as of September 27, 1946. All as set forth in Deed Record 416, Page 119-120.

As the DEVELOPER will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard monthly service charges, tap-in and inspection fees as are customarily charged by the CITY for connection to CITY sewer mains.

4. CHARGE AGAINST EXCESS AREA

Said sewer, when constructed, will also serve the additional or excess area in parts of the Southwest ¼ of Section 27, Township 30 North, Range 12 East, more particularly described as Lots numbered 15, 16, 24, and the North 200 feet of Lot numbered 1 in Arburn Place Addition, bounded on the North by Ardis Street, on the East by Corline Street, on the South by Lower Huntington Road, and on the West by Reserve Line Road, as shown on attached EXHIBIT "A".

In the event any present or future owner of said described excess area shall at any time within fifteen (15) years after the date of this contract, desire to use said sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local lines to service such land; CITY, through its duly constituted authorities, before permitting such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to CITY in addition to the cost of standard tap-in and inspection fees, the sum of $0.03486556 cents per square foot for the area served by each such connection and use, which represents the fair share of the cost of the extension of CITY sewer to said excess area. EXHIBIT "A", showing properties in excess area subject to charge for construction and use of sewer as of this date is attached.

The amount so collected by the CITY, over and above the first Two Hundred Dollars ($200.00), shall be paid by the CITY within sixty (60) days of the receipt thereof by CITY to DEVELOPER. The first Two Hundred Dollars ($200.00) so collected shall be credited to Work Order No. 82348 of the Water Pollution Control Engineering Department for engineering services.

5. BOND

This Contract is subject to DEVELOPER furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the CITY.

6. GOVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1968 supplement, Section 48-3963, 3964 and 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

IT WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

NEWS-SENTINEL BROADCASTING
COMPANY, INC.
DEVELOPER:

By Helene R. Foellinger
Helene R. Foellinger, President

CITY OF FORT WAYNE, INDIANA:

By
(Ivan Lebamoff) Mayor

BOARD OF PUBLIC WORKS

By J. D. Boswell
(Jerry D. Boswell, Chairman)

By Ronald L. Bonar
(Ronald L. Bonar, Member)

By William G. Williams
(William G. Williams, Member)

JAN 15 1973

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

ATTEST:

Clerk

Approved as to form and legality:

Associate City Attorney

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ivan Lebamoff, Mayor, Jerry D. Boswell, Chairman, Ronald L. Bonar and William G. Williams, Members of Board of Public Works, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 15 day of January, 1973

Anne J. Fox
Notary Public

My Commission Expires:

March 6, 1976

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared News Sentinel Broadcasting Company, Inc., who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 9th day of January, 1973.

Barbara A. Reichert Long
Notary Public
Barbara A. Reichert Long

My Commission Expires:

November 25th, 1973

This Instrument prepared by Philip R. Boller, Registered Land Surveyor No. 9846, State of Indiana.

SCHEDULE I

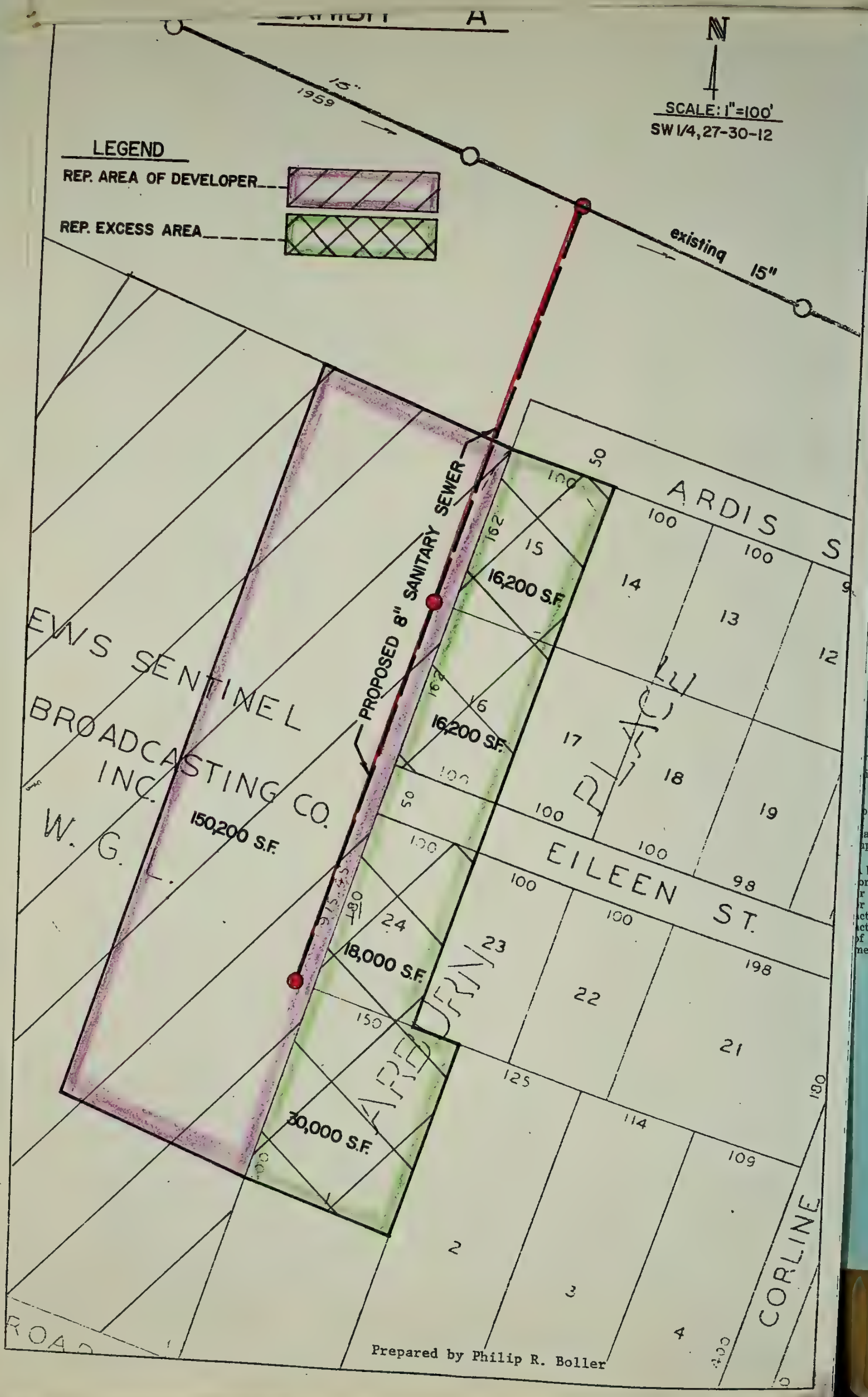
Cost Per Square Foot

$ 7,840.00	Cost of Construction
200.00	Cost of Engineering
$8,040.00	Total Cost

$\frac{\$8{,}040.00}{230{,}600}$ $\frac{\text{Total Cost}}{\text{Square Footage Service Area}}$ = $0.03486556 Cost Per Square Foot

*Service Area	*Square Footage	Rate	Total Cost	Owner
Lot #15	16,200 X	$0.03486556 =	$564.82	Smith, Jr., Wilbur A.
Lot #16	16,200 X	$0.03486556 =	$564.82	Jennings, Lon H. & C.A.
Lot #24	18,000 X	$0.03486556 =	$627.58	Giese, Richard L. & M.A.
Lot # 1	30,000 X	$0.03486556 =	$1,045.97	Arburn, P.M. & A.K.
Space:	150,200 X	$0.03486556 =	$5,236.81	Developer
	230,600	Totals	$8,040.00	

*Per Exhibit "A"


A
N
SCALE: 1"=100'
SW 1/4, 27-30-12
15"
1959
LEGEND
REP. AREA OF DEVELOPER
REP. EXCESS AREA
existing 15"
PROPOSED 8" SANITARY SEWER
NEWS SENTINEL BROADCASTING CO. INC.
W. G. L.
150,200 S.F.
ARDIS S
EILEEN ST.
PLACE
ARBURN
CORLINE
ROAD
15
16,200 S.F.
16
16,200 S.F.
24
18,000 S.F.
30,000 S.F.
14
13
12
17
18
19
23
22
21
2
3
4
50
100
162
975.75
180
150
125
114
109
98
198
9
400
Prepared by Philip R. Boller

WATER MAIN IMPROVEMENT RESOLUTION

No. 1006, 1972

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a system of water mains, intended and adopted for local use by the property holders in the tract to be improved and also the requirements of other real estate to be served with extensions, be and the same is hereby ordered in and along the north side of Elmdale Dr., from the west property line of Hessen Cassel Rd. to the west property line of lot # 37, also on Waycross Dr., from the south property line of Lot # 35 to the existing Water Main on Sundale Drive, all in Hickory Grove Addition, Sections B & C.

said water main(s), with all its (their) appurtenances, shall be constructed in accordance with the plans and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders benefited, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Improvements, in or for the benefit of recorded platted additions to and/or within cities and towns." Approved May 16, 1927 and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 15th *day of* January, 1973

BOARD OF PUBLIC WORKS:

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

57-42-8

QUIT-CLAIM DEED

72 22223

This indenture witnesseth that STEPHEN D. MULDOON and LINDA L. MULDOON, husband and wife, husband being over the age of twenty-one (21) years and wife being nineteen (19) years of age, and husband having acquired his interest in the real estate hereinafter described prior to his marriage, and RICHARD FEIPEL and ESTHER FEIPEL, husband and wife and each over twenty-one (21) years of age.
of Allen *County in the State of* Indiana

Releases and quit claims to

The City of Fort Wayne, Indiana, a municipal corporation

of Allen *County in the State of* Indiana
for and in consideration of One Dollar ($1.00) and other good and valuable consideration *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

East 1/2 Lot 212 Eliza Hanna Sr. Addition

Commonly known as 1342 Hayden Street

Irene Swinehart
ALLEN COUNTY RECORDER
1972 OCT 5 PM 3 45

DULY ENTERED FOR TAXATION
OCT - 5 1972
Dorothy E Raver
AUDITOR OF ALLEN COUNTY

State of Indiana, **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this *day of* *19* *personally appeared:* STEPHEN D. MULDOON and LINDA L. MULDOON, husband and wife, and RICHARD FEIPEL and ESTHER FEIPEL, husband and wife

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires May 15 *19*76

Notary Public

Dated this 29th **Day of** March **19** 72

Stephen D Muldoon
STEPHEN D. MULDOON *Seal*

Linda L. Muldoon
LINDA L. MULDOON *Seal*

Richard Feipel
RICHARD FEIPEL *Seal*

Esther Feipel
ESTHER FEIPEL *Seal*

Seal

Seal

This instrument prepared by David B. Keller *, Attorney at Law*

MAIL TO:
Bd. of Works Box

Instrument F 7241

PRINTED BY THE ALLEN COUNTY INDIANA BAR ASSOCIATION

2.50

59-77-7

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING ~~OUT~~ PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND SHOULD BE DONE BY A LAWYER.

'72 22222

QUIT-CLAIM DEED

This indenture witnesseth that STEPHEN D. MULDOON and LINDA L. MULDOON, husband and wife, husband being over the age of twenty-one (21) years and wife being nineteen (19) years of age, and husband having acquired his interest in the real estate hereinafter described prior to his marriage, and RICHARD FEIPEL, and ESTHER FEIPEL, husband and wife and each over twenty-one (21) years of Allen *County in the State of* Indiana

Releases and quit claims to The City of Fort Wayne, Indiana, a municipal corporation

of Allen *County in the State of* Indiana *for and in consideration of* One Dollar ($1.00) and other good and valuable consideration *the receipt whereof is hereby acknowledged, the following Real Estate in* Allen *County in the State of Indiana, to wit:*

Lot 80 McCullochs 2nd Addition

1972 OCT 5 PM 3 44
ALLEN COUNTY RECORDER

DULY ENTERED FOR TAXATION
OCT - 5 1972
Dorothy E Raver
AUDITOR OF ALLEN COUNTY

Dated this 29th **Day of** March **19** 72

Stephen D. Muldoon Seal
STEPHEN D. MULDOON

Linda L. Muldoon Seal
LINDA L. MULDOON

Richard Feipel Seal
RICHARD FEIPEL

Esther Feipel Seal
ESTHER FEIPEL

Seal

Seal

State of Indiana, **County, ss:**

Before me, the undersigned, a Notary Public in and for said County and State, this *day of* *19* *personally appeared:* STEPHEN D. MULDOON and LINDA L. MULDOON, husband and wife, and RICHARD FEIPEL and ESTHER FEIPEL, husband and wife

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires May 15 *19*76

Notary Public

This instrument prepared by David B. Keller *, Attorney at Law*

Instrument F 7242

2.50

MAIL TO: Bd. of Works Box

PRINTED BY THE ALLEN COUNTY INDIANA BAR ASSOCIATION

72 28226

AGREEMENT
FOR
SEWER EXTENSION

THIS AGREEMENT, made in triplicate this 16th day of November, 1972, by and between MARS OIL CORP. OF INDIANA, hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation hereinafter referred to as "City",

WITNESSETH:

WHEREAS, the Developer desires to construct a storm sewer described as follows:

> Commencing at an existing manhole in Adams Street at the intersection of the alley between Evans and Ormsby Streets; thence, Easterly in and along said 12 foot alley a distance of 664± feet to the intersection of the first alley West of Wayne Trace; thence, Northeasterly in and along a proposed 14 foot drainage easement 110± feet; thence, Southeasterly in and along said proposed easement a distance of 55± feet terminating at a proposed inlet in Wayne Trace.

1972 DEC 19 AM 12 20
ALLEN COUNTY RECORDER

Said sewer to be 12 inches in diameter

in accordance with plans, specifications and profiles heretofore submitted to the City and now on file in the office of the chief Engineer of the Sewer Utilities of the City, and known as MARS OIL CO. STORM SEWER - EVANS STREET which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the Developer has an interest, but also adjoining land areas.

WHEREAS, the cost of construction of said sewer is represented to be $7,978.50 composed of $7,750.00 for construction costs; $228.50 for engineering services.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The Developer shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the City, under private contract to be let within sixty (60) days after requisite City approval. All work and materials shall be subject to inspection by City and the right of City to halt construction

Board of Works Bx.

7.50

if there shall be noncompliance therewith. Said storm sewer shall not be deemed permanently connected into the storm sewer of City until final acceptance by City. Upon completion, said storm sewer shall become the property of City and City shall accept storm water therefrom and all further maintenance thereafter shall be borne by City.

2. COST OF CONSTRUCTION.

The Developer agrees to pay the entire cost and expense of construction of said storm sewer, in cash, including City engineering and inspection fees, and to hold the City harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER.

Said storm sewer when accepted by the City will serve the following described real estate:

> Lots 4, 5, 6, 7 and 8 in Gandy's Addition to the City of Fort Wayne, Allen County, Indiana.
>
> More specifically, property located on the Northwest corner of the intersection of Wayne Trace and Ormsby Street. Said property lines extending 224.27 feet on Wayne Trace, 150 feet on Ormsby Street, 224.27 feet on the rear and 150 feet on the North. Subject to a survey of said property acceptable to buyer.

As the Developer will pay for the cost of construction of said storm sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said storm sewer by the present or future owners of said real estate.

4. CHARGE AGAINST EXCESS AREA.

Said sewer, when constructed, will also serve the additional or excess area as shown on attached Exhibit "A".

In the event any present or future owner of said described excess area shall at any time within fifteen (15) years after the date of this contract, desire to use said storm sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local lines to service such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to the City in addition to the cost of standard tap-in and inspection fees, the sum of $.04216999606 per square foot as computed in Exhibit "B" for the area served by each such connection and use, which represents the prorata share of the cost of the extension of City sewer to said excess area.

Exhibit "A" showing properties in excess area subject to charge for construction and use of sewer as of this date is attached.

The amount so collected by the City shall be paid by City within sixty (60) days of the receipt thereof by City to Developer.

5. BOND.

This contract is subject to Developer furnishing a satisfactory Performance and Guarantee Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the City.

6. LIMITATION ON USE.

Said sewer shall be constructed for disposal of water runoff only and neither the parties hereto, their successors, or assigns, or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said storm sewer anything other than water runoff.

7. GOVERNING STATUTE.

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1968 Supple., Sections 48-3963, 3964, 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

The Developer further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of City as hereinafter provided.

DEVELOPER: Sid Axelbaum

Sid Axelbaum, MARS OIL CORP. of INDIANA

STATE OF MISSOURI, COUNTY OF ST. LOUIS, SS

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Sid Axelbaum, who acknowledged the execution of the foregoing agreement for sewer extension, as and for his voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 11 day of November 1972

My Commission Expires:
6/21/74

CITY OF FORT WAYNE, INDIANA

By: Ivan A. Lebamoff, Mayor

BOARD OF PUBLIC WORKS

By: J. D. Boswell

By: Ronald L. Bogan

By: William P. Williams

By:

ATTEST:
Edna L. Smith
Clerk

Approved as to form and legality:
John H. Logan
Associate City Attorney

STATE OF INDIANA, COUNTY OF ALLEN, SS

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared , who acknowledged the execution of the foregoing agreement for sewer extension, as and for his voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 19th day of December, 1972
Anne J. Fox

My Commission Expires:
March 6, 1976

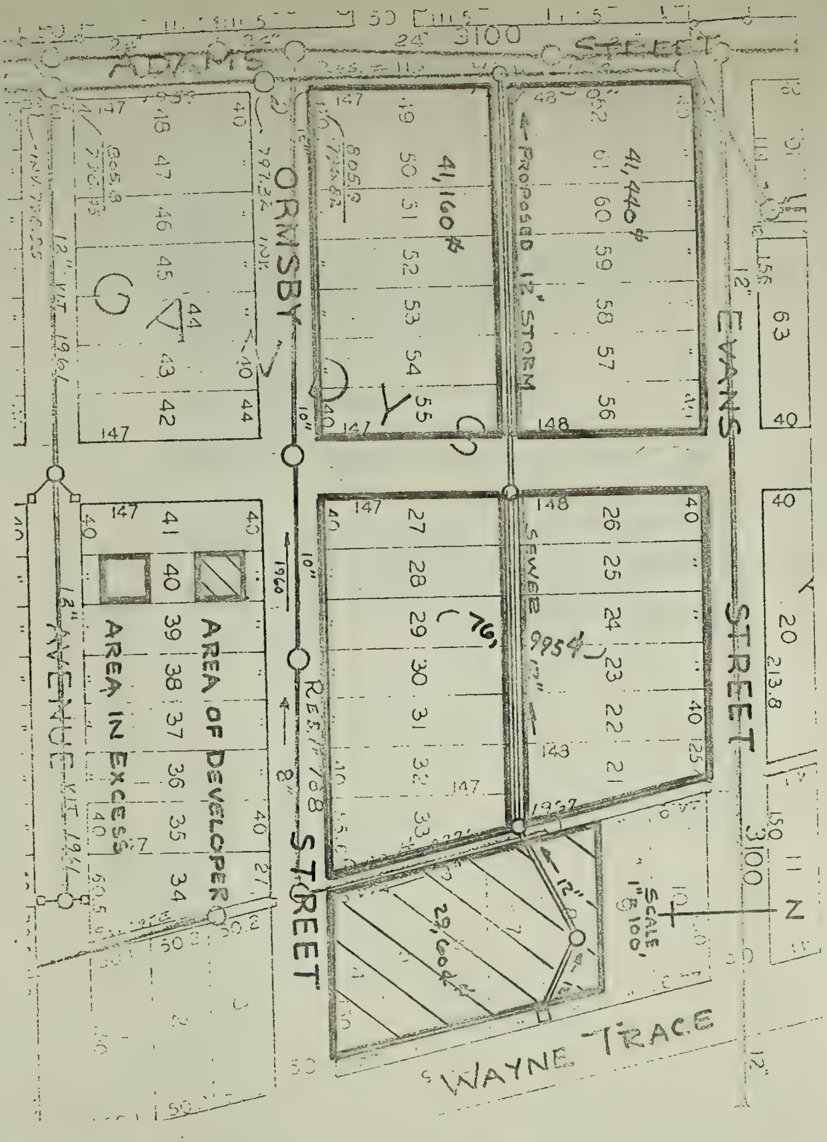

ADAMS STREET
3100
ORMSBY STREET
EVANS STREET
3100
AVENUE
WAYNE TRACE
PROPOSED 12" STORM SEWER
41,160#
41,440#
9954#
29,600#
AREA OF DEVELOPER
AREA IN EXCESS
SCALE 1"=100'
N
12"
10"
8"

EXHIBIT "A"

EXHIBIT "B"

41,440 ✓
41,160 ✓
76,995 ✓
159,595 ✓ Total Excess Area (taken from Exhibit "A")
29,630.5 ✓ Area of Developer (in square feet)
189,198.5 ✓ Total area benefited by sewer

$7,978.50 Total cost of construction

$\frac{\$7,978.50}{189,198.5 ✓}$ = $0.04216999606 Cost per square foot

29,603.5 ✓ × $0.04216999606 = $1,248.38 Cost to developer

159,594 ✓ × $0.04216999606 = $6,730.12 Cost to Excess Area

$7,978.50 TOTAL COST

[illegible]

[illegible] Extension

[illegible]

[illegible]-91-11

59-84-13
12/12/72

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION V
1 NORTH WACKER DRIVE
CHICAGO, ILLINOIS 60606

December 5, 1972

Mr. Paul L. Brunner
Project Director
Water Pollution Control Plant
One Main Street
Fort Wayne, Indiana 46802

Re: EPA Grant 11060DXX

Dear Mr. Brunner:

I have been informed by Headquarters EPA to provide you with a letter of property disposition. This authority has been delegated to me and defined in "Title 40-Protection of Environment-Interim Regulations Part 30-General Grant Regulations and Procedures Sections 30.800, 30.800-2, 30.800-3 and 30.800-4."

As Grants Officer, defined in Section 30.1000-12 of the Grant Rules and Regulations promulgated November 27, 1971, I respond to your letter requests of March 2 and 14, 1972, to make property settlement.

The City of Fort Wayne, Indiana is granted ownership of the Pilot Plant and all equipment, and miscellaneous items as listed in the inventory submitted with your March 2, 1972 letter. This granting of full ownership is conditioned upon continued use of the equipment for water pollution control activities at your city treatment facilities.

A annual summary report of your pilot plant activities is requested for the next two years to be submitted to me at the Region V office in Chicago.

Please make this letter a part of your official grant file.

Sincerely yours,

Ralph G. Christensen
Grant Project Officer

FORT WAYNE WATER POLLUTION CONTROL UTILITY

Fort Wayne, Indiana

GENERAL RULES AND REGULATIONS

INDEX

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2.	BUILDING OR HOUSE SEWERS	1 & 2
3.	LICENSED SEWER TAP CONTRACTORS	2 & 3
4.	EXTENSION OF CITY'S SEWERS	3
5.	LIMITATION OF CONCENTRATIONS PERMITTED IN INDUSTRIAL WASTES	3 & 4
6.	SEPTIC TANK CLEANINGS AND INDUSTRIAL WASTES ACCEPTED AT THE TREATMENT PLANT	4
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FORT WAYNE WATER POLLUTION CONTROL UTILITY

Fort Wayne, Indiana

GENERAL RULES AND REGULATIONS

In accordance with the statutes of the State of Indiana and section 201, Chapter 26, Sewers and Sewerage System, of the Fort Wayne Municipal Code, the Board of Public Works has established the following General Rules and Regulations in order to implement the safe, economical, and efficient operation of the Water Pollution Control Utility.

1. CONNECTION TO PUBLIC SANITARY SEWER REQUIRED

The Fort Wayne Municipal Code requires every property holder in the City of Fort Wayne to connect to the municipal sewerage system when a sanitary sewer is in a street, alley or easement abutting the property. A connection to the public sanitary sewer must be made within 90 days after such sanitary sewer is available.

Any and all private sewerage systems of any kind existing in or on premises where a sanitary sewer is available shall be discontinued, emptied of its contents, cleaned out and filled with earth or ashes, and the house sewer shall be disconnected from the existing private sewerage system and be connected to the sanitary sewer. (Reference Fort Wayne Municipal Code, Chapter 13, Health and Sanitation, Article VII).

2. BUILDING OR HOUSE SEWERS

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Sewer and Water Permit Office, Room #780, City-County Building.

B. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

C. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and where no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

2. BUILDING OR HOUSE SEWERS - Continued

D. A building sewer shall not cross the property of another private owner unless such private owner has granted an easement for such building sewer which is duly recorded in the office of the Allen County Recorder.

E. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test to meet the current code requirements for building sewers.

F. The size, slope, alignment, materials of construction of the building sewer, and the methods to be used in excavation, placing of the pipe, jointings, testing, and backfilling trench, shall all conform to the applicable rules and regulations of the City or the State of Indiana.

G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow into the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

H. No persons shall make connections of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a sanitary sewer.

I. The connection of the building sewer into the public sewer shall conform to the applicable rules and regulations of the City. All such connections shall be made gastight and watertight. Any deviation of the prescribed procedure or material must be approved by the Chief Water Pollution Control Engineer before installation.

J. After making each sewer tap building sewer installation, the contractor shall notify the Water Pollution Control Engineering Department so that the tap and the building sewer installation can be inspected and approved before the excavation is backfilled.

K. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

3. LICENSED SEWER TAP CONTRACTORS

In order to maintain strict control and quality of all taps made to the City's sewers, contractors must be licensed before being issued any permits for tapping public sewers. To be eligible for a sewer tap

3. LICENSED SEWER TAP CONTRACTORS - Continued

contractor's license, a contractor must either submit evidence to the Water Pollution Control Engineering Department of satisfactory sewer tap experience or satisfactorily pass an examination administered by the department, and have available the necessary equipment to perform the work.

The contractor must have public liability insurance, having at least $50,000 per person, $100,000 per accident, and $10,000 property damage. A performance bond of at least $5,000 is required of the contractor. A certificate of the liability insurance coverage and the performance bond must be on file with the Building Department of Fort Wayne.

An annual fee of $50.00 shall be paid to the Water Pollution Control Utility by each licensed sewer tap contractor.

4. EXTENSION OF CITY'S SEWERS

All new developments, subdivisions, apartment complexes, shopping centers, hotels, restaurants, or any other commercial or industrial development shall include adequate sanitary and storm sewer systems.

If adequate public sewers do not exist, then the developer shall extend or cause to be extended adequate public sewers. Plans for any public sewer extension must be approved by the City's Water Pollution Control Engineering Department. All extensions must be designed in accordance with the current sewer design criteria, city and county, and must be constructed in accordance with the City's standards and specifications.

Review of the plans and inspection during construction by the Water Pollution Control Engineering Department shall be at the expense of the developer. The charge to the developer for review and approval of the sewer plans and inspection during installation of the sewers shall be based on the actual hours expended on such review and inspection, multiplied by the prevailing hourly rates for such work.

Any sewer extensions accomplished without prior review and approval of the City Water Pollution Control Engineering Department and inspection during construction shall be deemed an illegal extension and, upon discovery, shall be promptly disconnected from the City's sewerage system.

5. LIMITATION OF CONCENTRATIONS PERMITTED IN INDUSTRIAL WASTES

In keeping with the provisions of section 301.9, Chapter 26 of the Fort Wayne Municipal Code, concerning the admission of certain toxic wastes to the Fort Wayne Sewerage System, the Board of Public Works in compliance with standards established by the Indiana Stream Pollution Control Board - SPC - IR and other regulatory agencies,

5. LIMITATION OF CONCENTRATIONS PERMITTED IN INDUSTRIAL WASTES - Continued

hereby limits the discharge of toxic ions, compounds or substances to concentrations entering the City's sewerage system not exceeding the amount listed below:

PROPOSED STANDARDS FOR MUNICIPAL CODE

Constituent	Concentrations (mg/l)
Arsenic	0.10
Barium	2.00
Cadmium	0.10
Chromium (Total)	0.50
Copper	2.00
Fluoride	2.00
Iron	5.00
Lead	0.10
Manganese	0.10
Selenium	0.02
Silver	0.10
Zinc	10.00
Mercury	0.01
Nickel	5.00

6. SEPTIC TANK CLEANINGS AND INDUSTRIAL WASTES ACCEPTED AT THE TREATMENT PLANT

A. Wastes that can be treated in digesters: Septic tank cleanings, milk whey and other wastes acceptable to the Superintendent of the Water Pollution Control Plant for pumping into the plant digesters from waste hauler tank trucks will be handled by the Treatment Plant for a charge of $5.00 per thousand gallons.

B. Industrial Wastes hauled by City: Industrial wastes such as cutting oils, et cetera, acceptable to the Water Pollution Control Plant Superintendent, picked up in the Utility's tank truck (5,000 gallon capacity) for treatment at the Plant will be handled for a charge of $50.00 per load. The $50.00 charge shall include 2 hours at straight time (regular working hours). For any driver hours outside of regular working hours or in excess of 2 hours, an additional charge will be made to the industry on the basis of the Utility's standard work order billing procedure.

7. DEPOSITS

The Utility will require from any applicant for sewer service a cash deposit equal to their estimated billing for a period of sixty (60) days but not less than $4.50 for in-city users or $9.00 for out-of-city

7. DEPOSITS - Continued

users as a guarantee against non-payment of bills for service. The Utility will pay interest at a rate of four (4) percent per annum. After twelve (12) months satisfactory payment record, the Utility may waive such cash deposit for an applicant who is an owner of real property and whose credit is approved by the Utility. The customer has the option of allowing all interest to accrue to their deposit or may request a credit to their account each year.

If the user's bill remains unpaid for a period of 30 days after the date of the final bill or the discontinuance of service, the unpaid bill will be deducted from the deposit and the balance if any will be remitted to the depositor. Any unpaid balance remaining after the application of the deposit will be subject to all statutory collection procedures available to the Utility.

AMENDMENTS AND REVISIONS

The Board of Public Works of the City of Fort Wayne, Indiana reserves the right, by appropriate action, to amend, modify, delete, change or otherwise revise these General Rules and Regulations as it may deem, from time to time, to be desirable and/or necessary.

Approved by the Board of Public Works in their regular meeting on:

December 12, 1972.

BOARD OF PUBLIC WORKS

J. Dr Boswell
Dr. Jerry D. Boswell, Chairman

Ronald L Bonar
Ronald L. Bonar, Member

William G. Williams
William G. Williams, Member

Effective: December 13, 1972

APPROVED AS TO FORM AND LEGALITY

John H Logan
John H. Logan, Associate City Attorney

H I. [illegible] - 14

REAL ESTATE LEASE

THIS AGREEMENT, Made and entered into by and between THE CITY OF FORT WAYNE (hereinafter called Lessor), and JOB'S HOUSE, INC. (hereinafter called Lessee) -

WITNESSETH:

Lessor, in consideration of the valuable services that might be performed by the Lessee in the drug rehabilitation area, and other good and valuable considerations, does hereby lease to the Lessee, the real estate commonly known as [illegible] 308 East Berry Street, Fort Wayne, Allen County, Indiana.

The Lessee does hereby covenant and agree to use said premises as an office and meeting place for the above mentioned corporation and for the purposes of forming and directing an outreach program for the purposes of introducing drug problem people to the Christian way of drug rehabilitation.

The Lessee further agrees that it will pay all utilities on said premises and hold the City harmless from any and all liability that might arise with reference to the Lessee while occupying said property.

The Lessee further agrees to hold the Lessor harmless from any liability for any damage or injury to any third person or any adjacent property, either caused by the negligence of the Lessor or Lessee.

It is further agreed that the Lease period shall be determined at will and may be terminated by either party upon a ten (10) day written notice of same.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 12th day of December, 1972.

LESSOR:

THE CITY OF FORT WAYNE

By:

Chairman, Board of Public Works

LESSEE:

JOB'S HOUSE, INC.

By: Pamela Graham

ATTEST:

Sandra C Schroyer

January 23, 1973

BOARD OF WORKS
City-County Building
Fort Wayne, Indiana

The Directors and Staff of Job's House, Inc., presently located in the City Utilities Building at 308 East Berry Street, hereby agree to accept full responsibility for maintenance and repair of any heaters provided by the City for our use in these premises and replacement of said heaters in the event of loss.

Job's House, Inc., further agrees to accept responsibility for the cost involved in necessary modifications to provide receptacles for said heaters; said costs not to exceed a maximum of $100.00.

Pamela R. Graham

Pamela R. Graham
Staff Director

73 03747

59-87-6 H.I.
12-11-72

SEWER EASEMENT RESOLUTION NO. 117-1972

(TEMPORARY & PERMANENT)

For the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Richardville Reserve (Southeast ¼, Section 35, Township 30 North, Range 12 East), generally bounded by Winchester Road on the West, Muldoon Road on the South, and the St. Mary's River on the East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a temporary and permanent sewer easement along and across a portion of Richardville Reserve (Southeast ¼, Section 35, Township 30 North, Range 12 East), generally bounded by Winchester Road on the West, Muldoon Road on the South, and the St. Mary's River on the East, more particularly described as follows:

PERMANENT EASEMENT

An easement 15 feet uniform in width on a centerline more particularly described as:

Commencing at a point located on the East right-of-way of Winchester Road and the North property line of Wright's Subdivision Extended West to said right-of-way; thence, on an assumed bearing of North 12° 19' 46" West along the East right-of-way of Winchester Road a distance of 1,587.7 feet; thence, North 51° 21' 04" East a distance 264.7 feet to the point of BEGINNING; said point situated on the Southerly line of a 9.27 acre tract of land now or formerly owned by Karl J. and Mary E. Klingler, Jr., as recorded in Deed Record 479, Page 205, and 241.5 feet East of the East right-of-way of Winchester Road; thence, continuing North 51° 21' 04" East a distance of 332.3 feet; thence, North 88° 11' 04" East a distance of 212.86 feet terminating at a point located on the Easterly line of the above said tract, and 12.0 feet North of the Southerly line of said tract.

All as shown on attached drawing.

1973 FEB 15 PM 2 14
ALLEN COUNTY RECORDER

DULY ENTERED FOR TAXATION
FEB 15 1973
AUDITOR OF ALLEN COUNTY

TEMPORARY EASEMENT

An easement 30 feet uniform in width lying immediately adjacent to the Northerly line of the above described permanent easement, extending and shortening the side lines of the easement so as to terminate at the boundaries of said 9.27 acre tract.

All as shown on the attached drawing.

The temporary easement to expire one (1) year from the date of execution.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof.

All streets, lots and land affected by the above described condemnation are situated in the Richardville Reserve (Southeast ¼, Section 35, Township 30 North, Range 12 East).

Adopted this 11th day of December, 1972.

Board of Public Works

This instrument prepared by Philip R. Boller.

Attest:

Clerk

Instrument F 11299

3.50

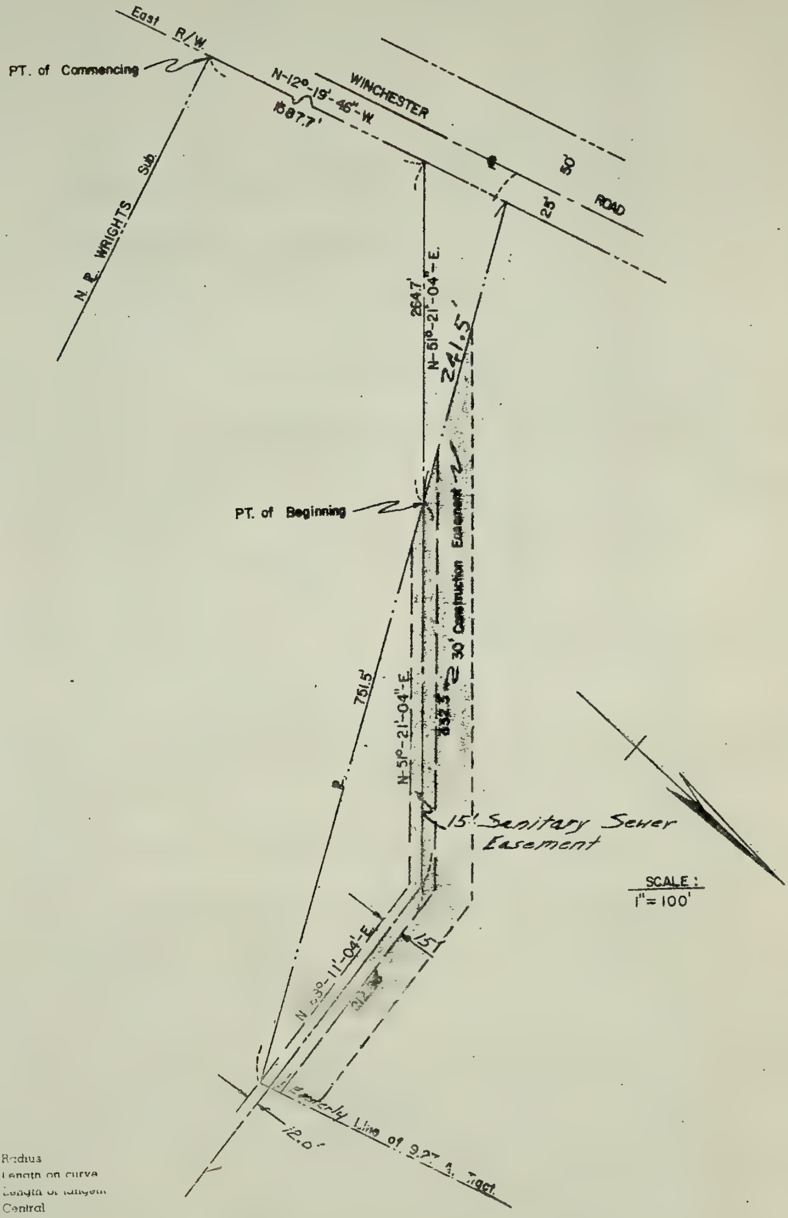
Reference: Pheasant Run Off-Site Sanitary (Part II) from Winchester Road East.

KEITH E. MOODY

REGISTERED PROFESSIONAL CIVIL ENGINEER NO. 11209 INDIANA
REGISTERED LAND SURVEYOR NO. 11836 INDIANA
FORT WAYNE, INDIANA

The undersigned Land Surveyor and Civil Engineer, registered as provided by an act of the 79th General Assembly of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, in conformity with the plat and deed record thereof in the office of the Recorder of ...... ALLEN.... .... County, Indiana. No encroachment existed, except as noted. The description of the real estate is as follows, to wit:

EXHIBIT "A"


East R/W
PT. of Commencing
N-12°-19'-46"-W
1687.7'
WINCHESTER
ROAD
50'
25'
N. R. WRIGHTS Sub.
264.7'
N-51°-21'-04"-E.
241.5'
PT. of Beginning
30' Construction Easement
832.5'
N-51°-21'-04"-E
751.5'
15' Sanitary Sewer Easement
15'
N-53°-11'-04"-E
312.5'
12.0'
Easterly Line of 9.27 A. Tract
SCALE:
1" = 100'

KEY

R = Radius
L = Length on curve
T = Length of tangent
Δ = Central
C = Cord length
D = Degree of curve

Page 2 of 2

(59-80-11)
- #7

RESOLUTION

(59-80-11)

WHEREAS, a 1953 ordinance (General Ordinance No. 2659) states that the Board of Public Works may require a conduit be placed back of the curb line under each driveway approach to facilitate future electrical wiring for street lights or to facilitate underground wiring for street lights or communications facilities, and

WHEREAS, said Ordinance has not been enforced, and

WHEREAS, the Board of Public Works is undertaking an aggressive and comprehensive City-wide street lighting program, creating a need for such conduits, and

WHEREAS, the Utility Committee made up of representatives of each of the affected utilities was asked to review such requirements and make a recommendation as to the type of conduit, location, etc., and said Committee has completed its review and made such recommendation,

NOW THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, that effective this date all driveway approaches shall have a two-inch conduit placed one foot from the inside (side closest to curb) sidewalk edge. The length of which shall be the width of the driveway plus two feet on each side. It will be permissible to use two-inch diameter, 80-pound plastic water pipe. The conduit shall be closed at each end with a removable plug.

The Right-of-Way Permit Department is hereby instructed to require said conduits as a condition to all future driveway applications and permits.

Adopted by the Board of Public Works December 7, 1972.

Board of Public Works

W. D. Boswell

Ronald L B

____

Irene Swinehart
ALLEN COUNTY RECORDER
1972 DEC 15 PM 4 24

5-93-72
72 28067

A G R E E M E N T
F O R
S A N I T A R Y   S E W E R   E X T E N S I O N

THIS AGREEMENT, made in triplicate this 4th day of December, 1972, by and between Shirmeyer Associates, Inc., hereinafter referred to as "DEVELOPER", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the DEVELOPER desired to construct a sanitary sewer described as follows:

> Commencing at an existing manhole at Station 43 + 33 on the St. Mary's Interceptor Sewer, Resolution No. 214; thence, meandering Westwardly in and along a proposed 15 foot easement 1,383 ± feet to the West right-of-way of Winchester Road; thence, Southeasterly in and along the Winchester Road a distance of 105 ± feet to Manhole No. 7; thence, Southwesterly in a meandering easement a distance of 665 ± feet to the centerline of Midway and the Northeast line of Lot No. 6 extended Northerly in Winchester Heights Addition; thence, in and along a proposed easement a distance of 1,280 ± feet to the intersection of Dunkelberg Road; thence, Southeasterly a distance of 240 ± feet terminating at a proposed manhole in proposed Pheasant Run Addition.

in accordance with plans, specifications and profiles heretofore submitted to the CITY and now on file in the office of the Chief Engineer of the Water Pollution Control Engineering Department of the CITY, and known as PHEASANT RUN OFFSITE SANITARY SEWER which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the DEVELOPER has an interest, but also adjoining land areas.

WHEREAS, the cost of the construction of said sewer is represented to be $53,750.00, composed of $47,750.00 for construction costs; $6,000.00 for engineering and inspection services.

WHEREAS, the CITY is condemning the necessary easement right-of-way for the installation of the sewer under Sewer Easement Resolution Nos. 116-72 and 117-72.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The DEVELOPER shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY, under private contract with CITY approval. All work and materials shall be inspected by the CITY and conform with all CITY standards and specifications. Upon completion, said sewer

Board of Works Box

10.50

shall become the property of CITY and all further maintenance thereafter shall be borne by the CITY.

2. COST OF CONSTRUCTION

The DEVELOPER agrees to pay the entire cost and expense of construction of said sewer, in cash, including CITY engineering and inspection fees, and to hold the CITY harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER

Said sewer, when accepted by the CITY, will serve the following described real estate:

> Part of Richardville Reserve lying West of the St. Mary's River in Township 29 North, Range 12 East in Allen County, Indiana, more particularly described as follows:
>
> Beginning at the South corner of Richardville Reserve; thence, North 24 degrees 45 minutes East and along the Southeast line of the Richardville Reserve a distance of 717.5 feet; thence, North 16 degrees 18 minutes West a distance of 2,419 feet to an iron pipe in the centerline of Dunkelberg Road, said pipe being the Northwest corner of property owned by the Fort Wayne Community School Building Corporation; thence, South 87 degrees 26 minutes West along the centerline of Dunkelberg Road a distance of 1,578.4 feet to the Southwest line of the Richardville Reserve; thence, South 34 degrees 00 minutes East along the Southwest line of Richardville Reserve a distance of 3,500.4 feet to the point of beginning, containing 67.21 acres more or less and subject to road rights-of-way and easements.
>
> Also, part of Section 2, Township 29 North, Range 12 East in Allen County, Indiana, more particularly described as follows:
>
> Beginning at a point on the West line of Section 2, Township 29 North, Range 12 East in Allen County, Indiana, said point being 1,794 feet North of the Southwest corner of Section 2-29-12; thence, North along the West line of Section 2-29-12 a distance of 2,755.26 feet to the Northwest corner of Section 2-29-12; thence, East along the North line of Section 2-29-12 a distance of 163.68 feet to the Southwest line of the Richardville Reserve; thence, Southeasterly along the Southwest line of the Richardville Reserve a distance of 3,273.4 feet to an existing E-W fence; thence, Westerly along the E-W fence a distance of 1,918.52 feet to the point of beginning containing 65.88 acres more or less and subject to road rights-of-way and easements.

As the DEVELOPER will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard monthly service charges, tap-in and inspection fees, and/or charges (as described on Page 3 herein) as are customarily charged by the CITY for connections to CITY sewer mains.

4. CHARGE AGAINST EXCESS AREA

Said sewer, when constructed, will also serve the additional or excess area in parts of the Southwest ¼ of Section 35, Township 30 North, Range 12 East (Richardville Reserve) and parts of the Southeast ¼ of Section 35, Township 30 North, Range 12 East, bounded on the East by the St. Mary's River, on the South by Dunkelberg Road, on the West by Kinnerk Road, as shown on attached EXHIBIT "A".

In the event any present or future owner of said described excess area shall at any time within fifteen (15) years after the date of this contract, desire to use said sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local lines to service such land; CITY, through its duly constituted authorities, before permitting such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to CITY in addition to the cost of standard tap-in and inspection fees, the sum of Two Hundred Eighteen Dollars and Ninety-Eight Cents ($218.98) per acre for the area served by each such connection and use, which represents the fair share of the cost of the extension of CITY sewer to said excess area. Exhibit "A", showing properties in excess area subject to charge for construction and use of sewer as of this date is attached.

It is hereby acknowledged that CITY is cooperating in this sewer construction by obtaining easements through condemnation (Sewer Easement Resolution Nos. 116-72 and 117-72). DEVELOPER agrees that any damages occurred by CITY in connection with said easement condemnation shall be reimbursed to CITY by CITY retaining connection fees due DEVELOPER under this contract in amounts equal to damages. When amount equal to damages has been retained by CITY, DEVELOPER shall receive all other amounts so collected by the CITY within sixty (60) days of the receipt thereof by CITY.

An area connection charge of $442.73 per acre must also be paid to the CITY at the time of connection. This connection charge is in addition to any other charge as set forth above and represents the oversizing cost expended by the City Utilities and the School City for sewer line pertaining to St. Mary's Interceptor, Resolution No. 214, as recorded in Instrument 71-05984 in the Recorder's Office in Allen County, Indiana.

5. BOND

This contract is subject to DEVELOPER furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the CITY.

6. WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION

The DEVELOPER, for himself, his successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of any territory now or hereafter owned by him, as described in Article 3 herein, or hereafter served by said sewer or any extension thereof.

In further consideration and to induce CITY to execute and ratify this contract, said DEVELOPER, for himself, his successors and assigns, agrees by this contract to vest in CITY the permanent right at its discretion to annex to the CITY OF FORT WAYNE at any future time by duly authorized ordinance the said real estate described in Article 3 herein.

DEVELOPER further agrees that any deeds, contract, or other instruments of conveyance made by the DEVELOPER, its successors or assigns transferring or conveying any interest or title in and to any of the real estate described in Article 3 herein, shall contain the waiver and release provisions contained in this article, which provisions shall run with the land and the acceptance of the delivery of any such instrument from the DEVELOPER, his successors and assigns by any grantee, vendee, or contract purchaser, shall be made subject to the terms of this Agreement and shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contract purchaser and their successors in title.

The DEVELOPER further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of CITY as hereinafter provided.

Any owner or owners of land which is now, or hereafter located outside the corporate limits of CITY who connect into the sewer constructed hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of such land or of the territory in which it is located or of the area served by said sewer.

7. GOVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1968 supple., Sections 48-3963, 3964 and 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

8. COUNCILMANIC APPROVAL

It is understood and agreed that this contract is in all respects subject to approval by the Common Council of CITY, by duly adopted Ordinance, and if such Ordinance is not adopted within a period of ninety (90) days after execution thereof, this contract shall be null and void and of no further force and effect.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER:

Shirmeyer Associates, Inc.

CITY OF FORT WAYNE, INDIANA

By Ivan A. Lebamoff
(Ivan Lebamoff) Mayor

BOARD OF PUBLIC WORKS

By J. D. Boswell
Jerry D. Boswell, Chairman

By Ronald L Bonar
Ronald L. Bonar, Member

By
William G. Williams, Member

ATTEST:

Cana I. Smith
Clerk

Approved as to form and legality

John H Logan
Associate City Attorney

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ivan Lebamoff, Mayor, Jerry D. Boswell, Chairman, Ronald L. Bonar and ~~William G. Williams~~, Members of Board of Public Works, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 5th day of December, 1972

Anne J. Fox

My Commission Expires:
March 6, 1976

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Shirmeyer Associates, Inc., who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 4th day of December, 1972.

Audrey J. Hogan

My Commission Expires:

February 22, 1975

This Instrument prepared by Philip R. Boller, Registered Land Surveyor No. 9846, State of Indiana.

SCHEDULE 1

Cost Per Acre:

$47,750.00	Cost of Construction
$ 6,000.00	Cost of Engineering and Inspection
$53,750.00	Total Cost

$53,750.00 Total Cost / 245.46 Acres Service Area = $218.976615334 Cost Per Acre
Rounded to $218.98

Cost Per Tract*:

Tract*	Acres**		Rate	Tract Cost	Tract Owner
A	12.80	Acres Excess Area x	$218.98	= $2,802.94	Lebrato, Jos. J. et al
B	7.00	" " " "	"	= $1,532.86	Trinity Episcopal Church
C	18.00	" " " "	"	= $3,941.64	Wyss, Arthur N. & M. Gertrude
D	11.20	" " " "	"	= $2,452.58	Wyss, Arthur N. & M. Gertrude
E	3.00	" " " "	"	= $ 656.94	Whitsel, G. L. Jr. & M. M.
F	3.00	" " " "	"	= $ 656.94	Wright, Johnny & G.
G	3.00	" " " "	"	= $ 656.94	Alter, Elsie E.
H	2.00	" " " "	"	= $ 437.96	Pletcher, Howard R. & M.
I	0.90	" " " "	"	= $ 197.08	Beck, Lowell O. & M. S.
J	5.60	" " " "	"	= $1,226.29	Del Priore, D. A. & M. G.
K	4.41	" " " "	"	= $ 965.70	Klingler, Karl J. & M. E.
L	17.00	" " " "	"	= $3,722.66	Klingler, Karl J. & M. E.
M	15.19	" " " "	"	= $3,326.31	Ray, Francis H. & K. D.
N	9.27	" " " "	"	= $2,029.95	Klingler, K. J. Jr. & M. E.
O	67.21	" " " "	"	=$14,426.40	Developer
P	65.88	" " " "	"	=$14,717.65	Developer
	245.46	Totals		$53,750.83	

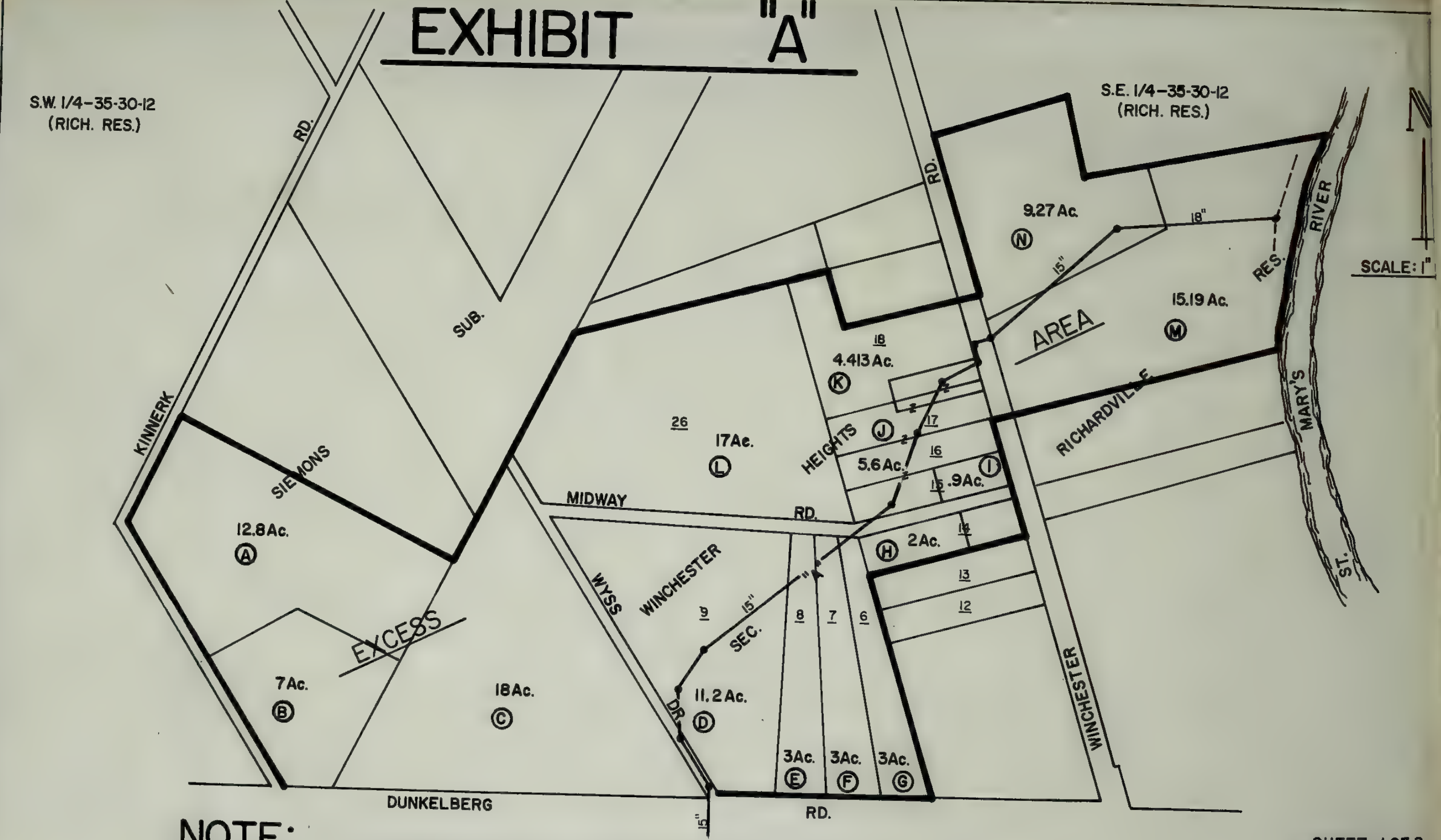
* Per Exhibit "A"
** Acres taken from township maps may call for adjustment

Cost due St. Mary's Interceptor, Resolution No. 214, as before mentioned in the amount of $442.73, must be added to the above cost prior to the issuance of a tap permit.

Example:

12.80 Acres x $218.98 =	$2,802.94	Cost of this Contract
12.80 Acres x $442.73 =	$5,666.94	Resolution No. 214
	$8,469.88	Total

EXHIBIT "A"

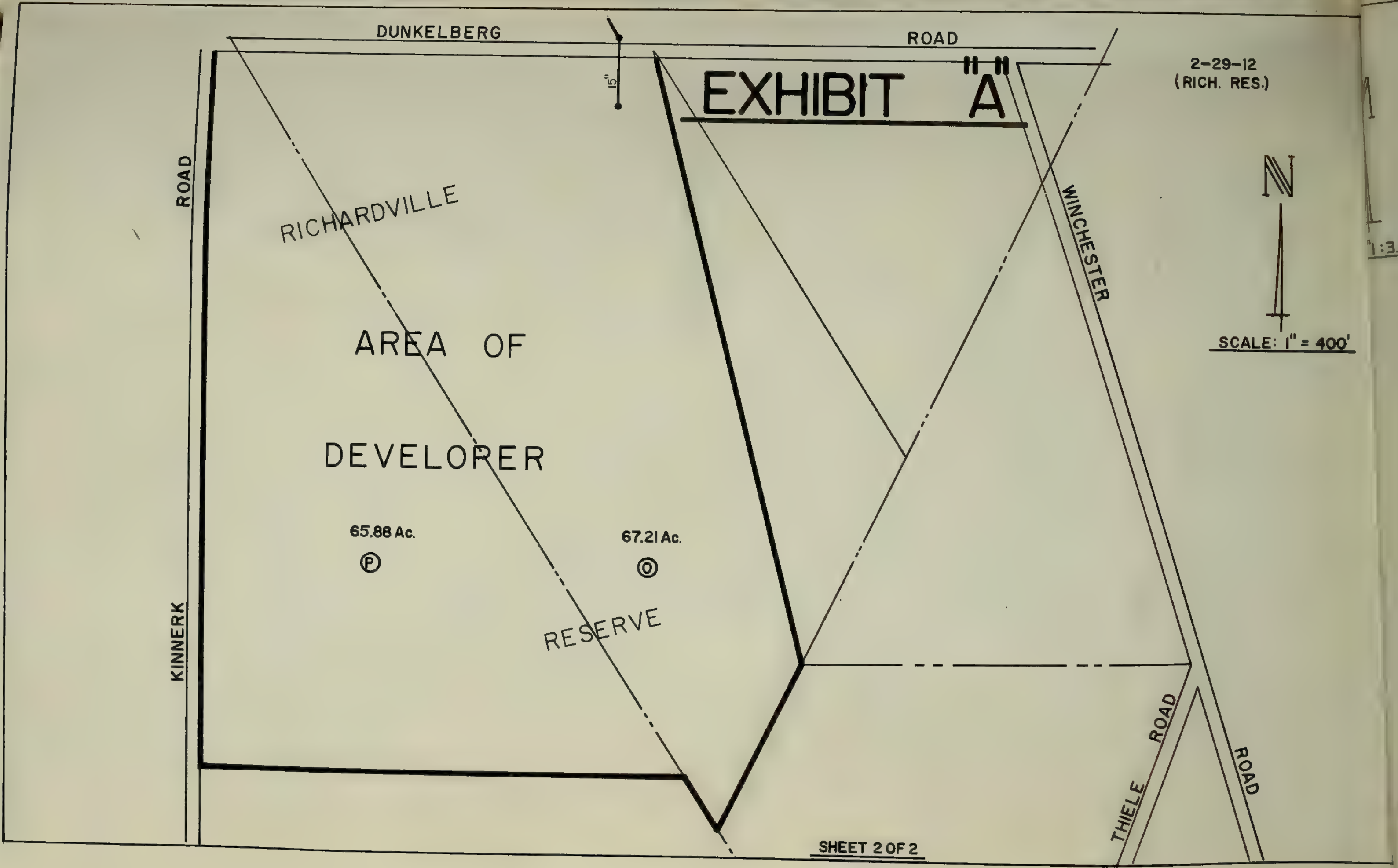

S.W. 1/4-35-30-12
(RICH. RES.)
S.E. 1/4-35-30-12
(RICH. RES.)
SCALE: 1"
RD.
KINNERK
SUB.
SIEMONS
12.8Ac.
Ⓐ
7Ac.
Ⓑ
EXCESS
18Ac.
Ⓒ
DUNKELBERG
RD.
WYSS
DR.
11.2Ac.
Ⓓ
15"
WINCHESTER
SEC.
9
8
7
6
3Ac.
Ⓔ
3Ac.
Ⓕ
3Ac.
Ⓖ
MIDWAY
RD.
26
17Ac.
Ⓛ
HEIGHTS
18
4.413Ac.
Ⓚ
Ⓙ
5.6Ac.
17
16
15
.9Ac.
Ⓘ
2Ac.
Ⓗ
14
13
12
WINCHESTER
RD.
9.27Ac.
Ⓝ
15"
18"
AREA
15.19Ac.
Ⓜ
RICHARDVILLE
RES.
RIVER
MARY'S
ST.

NOTE: THE ACRES SHOWN ON EXHIBIT "A" WERE IN MOST PART TAKEN FROM THE QUARTER SECTION MAPS OF THE RESPECTIVE TOWNSHIPS.

SHEET 1 OF 2

EXHIBIT "A"

2-29-12
(RICH. RES.)



DUNKELBERG ROAD
15"
WINCHESTER ROAD
THIELE ROAD
KINNERK ROAD
RICHARDVILLE
RESERVE
AREA OF DEVELOPER
65.88 Ac.
Ⓟ
67.21 Ac.
Ⓞ
N

SCALE: 1" = 400'

SHEET 2 OF 2

CONTRACT FOR ENGINEERING SERVICES

FOR

IMPROVEMENTS TO RUDISILL BOULEVARD WHICH INCLUDES
STREET WIDENING, SIGNALING, LIGHTING AND INTERSECTION IMPROVEMENTS
FROM INDIANA AVENUE TO LAFAYETTE STREET
IN THE CITY OF FORT WAYNE, INDIANA

BY AND BETWEEN THE

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

AND

BEAM, LONGEST & NEFF, INC.
CONSULTING ENGINEERS
INDIANAPOLIS, INDIANA

A STANDARD FORM OF AGREEMENT BETWEEN
OWNER AND ENGINEER

Fee is Per Cent of Construction Cost

THIS AGREEMENT made this 4th day of December, 1972, by and between the City of Fort Wayne, acting by and through its Board of Public Works of the City of Fort Wayne, Indiana, hereinafter called the OWNER, and Beam, Longest & Neff, Inc., hereinafter called the ENGINEER, WITNESSETH, That whereas the Owner intends to construct improvements to Rudisill Boulevard which include street widening, signaling, lighting and intersection improvements from Indiana Avenue to Lafayette Street in the City of Fort Wayne, Indiana, hereinafter called the PROJECT.

NOW, THEREFORE, the Owner and Engineer for the considerations hereinafter set forth, agree as follows:

ARTICLE 1. THE ENGINEER AGREES to perform the following engineering services for the Project:

A. Phase I - Preliminary Engineering Design and Right of Way Plans

After receiving from the Owner, written notice to proceed with the Preliminary Engineering Design, the Engineer agrees to:

1. Make the Design Survey, including all required survey data necessary for the preparation of Contract Plans, the Engineer may obtain survey data by photogrammetric methods. Such Design Survey shall be in accordance with the accepted standards of practice as used by the Indiana State Highway Commission. As part of Survey, Engineer shall establish survey base line and/or center line of street, and reference points at street intersections and benchmarks.

2. Prepare Preliminary Plans, Itemized Preliminary Construction Cost Estimates in sufficient detail and accuracy as required to prepare final Contract Plans and Specifications. Such Preliminary Plans and Cost Estimates shall be in accordance with accepted standards of practice as used by the Indiana State Highway Commission. Plans to include roadway design, signing, street lighting, tree planting, and signalization of major intersections.

3. Where additional Right of Way is required, either permanent or temporary, it will be indicated on the plan sheets. Should Plats and Instruments required for acquisition of Right of Way be needed, they will be furnished under Article 4B, in accordance with "Right of Way Engineering Procedures Manual", dated 1972, by the Indiana State Highway Commission.

4. Engineer shall locate and identify all utilities (underground and aerial) accurately and if necessary request excavations to determine exact horizontal and vertical locations. Owner shall provide or cause to be provided labor and materials for required excavations, and Engineer shall provide survey crew to measure locations.

5. Environmental Statement - The Engineer shall furnish the Owner with data but the Engineer shall not prepare the statement under this Contract.

B. Phase II - Final Engineering Design Upon approval of the Preliminary Engineering Design by the Owner and after receiving from the Owner written notice to proceed with Final Engineering Design, the Engineer agrees to:

1. Prepare Final Contract Plans and Specifications for the following including Special Provisions, Proposal Forms, Notice to Bidders, and Itemized Final Estimates of cost of construction, in accordance with accepted standards of practice as used by the Indiana State Highway Commission.

    a. Roadway construction
    b. Signing installation
    c. Street lighting installation
    d. Signalization of major intersections, except for computer circuits which shall be furnished by the Owner.
    e. Show street right of way line and adjacent property owners with street address. Owner to furnish property ownership list to Engineer.
    f. Tree planting in right of way.

2. Furnish Reproductions The Engineer shall furnish the Owner with one set of reproducible sepias or mylars of the final approved Contract Plans and Cross Sections, and four (4) sets of reproductions of the final approved Contract Specifications. The Final Estimate of Cost shall be presented to the Owner in its original prescribed form for safekeeping, and no other distribution of said Estimate of Construction Cost shall be made.

3. Governmental Agencies The Engineer shall obtain written approvals of Engineering Design from all affected governmental agencies; railroads and utilities where required.

4. Design Reports The Engineer shall submit to the Owner monthly Preliminary and Final Engineering Design Status Reports showing progress and percent complete.

C. Phase III - Construction Phase If requested in writing by the Owner and after the Contractor's written order to proceed,the Engineer shall proceed with the general engineering inspection of the construction and shall:

1. Provide general engineering administration of the construction contract including, at the Owner's request, the giving of technical engineering information to legal counsel as an aid to the interpretation and clarification of the Contract Documents.

2. Check and approve Contractor's requests for payment, samples, catalogue data, schedules, shop drawings, laboratory, shop and mill tests of equipment and other data which the Contractor is required to submit, only for conformance with the design concept of the Project and compliance with the information given by the Contract Documents; and shall collect all guarantees required of Contractors or suppliers but shall not prepare any required guarantees without approval of legal counsel.

3. Engineer shall provide Owner with one (1) set of reproducible "As Built" drawings following completion of construction reflecting actual conditions as found and constructed. Owner will provide Engineer with necessary information in the event the Engineer does not perform Phases IV and V.

D. Phase IV - Resident Engineer and Inspectors Upon written request by the Owner the Engineer shall provide a qualified resident engineer and necessary inspector(s) during active installation and contruction of the Project to perform project engineering and inspection services required by City, State and Federal Highway officials. This service shall be comprehensive to include all reports, approval of contractor's materials, testing, approval of contractor's invoices, monthly progress reports, etc., which will be necessary for full completion and acceptance of the Project by the City, State and Federal Highway representatives.

E. Phase V - Construction Engineering. If requested by the Owner in writing, the Engineer agrees to:

1. Furnish all materials and labor to set layout and grade stakes for the construction of this Project.
    - a. One (1) week notice will be required in advance of staking needed.
    - b. Stakes will be set only one (1) time. Should the Contractor inadvertently knock out stakes, reimbursement for replacing shall be required on an actual time and overhead and expense basis.
2. The Engineer will not furnish a full-time crew under this Contract unless the Owner requests and negotiates additional compensation to cover full-time residents.

F. Attend Conferences For all phases authorized by the Owner, the Engineer shall attend such conferences, record and distribute minutes, with the officials of the Owner and other interested agencies and governmental units as may be required in connection with the work. Compensation for this service shall be included in the fee for the respective phase.

ARTICLE 2. COMPLETION SCHEDULE After receiving from the Owner written notice to proceed, the Preliminary Plans, Right of Way Plans (Phase I) and Final Contract Plans (Phase II) shall be completed by the Engineer and submitted to the Owner for its approval in accordance with the following schedule:

Design Schedule:
Preliminary Plans (Phase I) completed within
Sixty (60) Calendar Days
after written authorization to proceed with
Preliminary Engineering Design.

Right of Way Plans (Phase I) submitted within
Fifteen (15) Calendar Days
after written approval of Preliminary
Engineering Design

Final Contract Plans (Phase II) completed within
Sixty (60) Calendar Days
after written authorization to proceed with
Final Engineering Design and approval of regulatory
Governmental Agencies.

The above timetable shall be subject to documented delays due to required approval by regulatory Governmental Agencies.

For each calendar day the Engineer fails to complete his work in accordance with the Completion Schedule a penalty of $100.00 per calendar day shall be deducted from his compensation.

ARTICLE 3. INFORMATION AND SERVICES TO BE FURNISHED OR CAUSED TO BE FURNISHED BY OWNER

The Owner shall furnish the Engineer with the following:

A. Criteria for design and detail such as project limits, pavement and median widths, grades, curves, sight distances, clearances, design loadings, etc.

B. Any necessary soil borings or assist in subsurface investigations that may be required for the engineering design.

C. Reproducible Roadway and/or Bridge Standards required for construction of the project including the Owner's Standard Title sheet and Construction Identification Sign to be incorporated into the Contract Plans.

D. Guaranty of Title, requirements for Land Plat preparation, the Owner's Standard Instrument necessary for Right of Way Acquisition upon which Legal Description is to be placed.

E. Prepare or cause to be prepared all advertisements for bids and cause same to be properly advertised.

F. Furnish the necessary reproductions of the Contract Plans and Contract Documents necessary for construction of the project for distribution to the Contractors, sub-Contractors, Utilities, and Suppliers prior to the date for receipt of construction bids.

G. Prepare and submit the Environmental Statement and Design Study Report from data furnished by the Engineer.

H. Street lighting design indicating pole spacing, size and type of luminaire, wiring, etc.

I. Number, location and species of all new tree plantings in right of way.

ARTICLE 4. THE ENGINEER'S COMPENSATION FOR SERVICES

A. The Owner for and in consideration of the renderings of the Engineer's Basic Services, Phases I, II and III, herein described, agrees to pay to the Engineer, a fee of Six and one-half percent (6½%) of the construction cost, but the total fee for design shall not exceed $44,720. This fee to be paid in the following manner:

Phase I

1. Upon the Engineer's completion of the Design Survey, One percent (1%) of the construction cost, based upon the Engineer's Preliminary Estimate.

2. Upon the completion of other items in Phase I and the Engineer's submission of Preliminary Plans and Preliminary Right of Way Plans to the Owner and other interested governmental agencies One percent (1%) of the construction cost, based upon the Engineer's Preliminary Estimate.

3. Upon the approval of Preliminary Plans and Preliminary Right of Way Plans by the Owner and other interested Governmental Agencies, One percent (1%) of the construction cost, based upon the Engineer's Preliminary Estimate.

Phase II - Final Engineering Design

1. Upon the completion of this phase and the Engineer's submission and approval of Final Plans to the Owner and other interested governmental agencies, Two Percent (2%) of the construction cost based upon the Engineer's Final Estimate.

2. Upon receipt of an acceptable bid Three Quarters of One Percent (0.75%) of the construction cost, based on Actual Bid Price, less previous payments.

Phase III - Construction Phase

For services during the Construction Phase provided in Phase III hereof, the Engineer shall receive compensation of Three Quarters of One Percent (0.75%) of the construction cost, payable monthly in proportion to the Monthly Progress Estimates, providing a total basic percentage fee for Phases I, II and III in the amount of Six and One-half Percent (6½%) of the cost of construction.

B. Optional Basic Services
Phase IV - Resident Engineer and Inspectors

For the Resident Engineer and Inspectors services provided for in Phase IV hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases) in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.8, but not to exceed a total fee of $60,000.00.

This fee to be paid monthly upon submission of a claim to the Owner.

Phase V - Construction Engineering

For the Construction Engineering provided for in Phase V hereof, the Engineer shall be entitled to receive a fee (in addition to all other phases)in a sum equal to actual hourly rate of personnel involved, times a multiplier of 2.8, but not to exceed a total fee of $15,000.00.

The above fees to be paid following completion of each Phase or Sub-Phase and submission of an itemized claim in proportion to services performed as presented in the Monthly Engineering Design Status Reports.

C. Right of Way Documents

The Owner, for and in consideration of the renderings of Engineering Services for the preparation of Legal Descriptions and Land Plats if requested in writing by the Owner, agrees to pay to the Engineer as follows:

1. For each description requiring a plat, a fee of One Hundred Dollars ($100.00) per description.
2. For each description which does not require a Land Plat, a fee of Fifty Dollars ($50.00) per description.

D. Change in Scope

In the event there is a major change in scope and character of the work after survey or plan work has progressed as directed by the Owner, adjustments in the fee payable to the Engineer as outlined in Article 4A and in the completion schedule as outlined in Article 2 shall be determined through arbitration between the parties to the Agreement.

E. Engineer's Maximum Compensation

The Engineer's Estimated Construction Cost and maximum amount from which the Engineer's Compensation shall be computed for Phases I, II and III is Six Hundred Eighty-Eight Thousand Dollars ($688,000.00).

F. Additional Services

In the event that the Engineer is directed by the Owner to cause to be made borings and detailed estimates of right of way cost, or other additional services not covered in Phases I through V, the Engineer shall be reimbursed by the Owner for the actual cost of such services at payroll times a multiplier of 2.5.

ARTICLE 5. WORKMEN'S COMPENSATION AND LIABILITY INSURANCE

A. The Engineer agrees to purchase and maintain at his expense the following kinds and amounts of insurance:

B. A policy covering the obligation of the Engineer in accordance with the provisions of the WORKMEN'S COMPENSATION LAW of the State of Indiana.

C. Policies of Bidily Injury Liability and Property Damage Liability Insurance with limits of liability of not less than One Hundred Thousand Dollars ($100,000.00) for each damage claim arising out of bodily injury, and not less than Three Hundred Thousand Dollars ($300,000.00) for all damages arising out of bodily injury, including death at any time resulting therefrom, sustained by two or more persons in any one accident; and not less than Fifty Thousand Dollars ($50,000.00) for all damages arising out of injury or destruction of property in any accident, nor less than One Hundred Thousand Dollars ($100,000.00) for all damages arising out of injury to or destruction of property suffered by two or more persons for any one accident.

ARTICLE 6. ABANDONMENT AND TERMINATION

A. Abandonment. If the Owner shall abandon the services described herein, the Engineer shall deliver to the Owner all survey notes, drawings, specifications and estimates completed or partially completed, and these shall become the property of the Owner. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the Engineer to the date of abandonment, as reported under Article I, and which may be mutually agreed upon by the Owner and the Engineer. The Payment as made to the Engineer shall be paid as a final payment in full settlement of his services hereunder.

B. Termination. This Agreement may be terminated by either party by seven (7) days written notice by mutual agreements; or in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If this Agreement is terminated, the Engineer shall be paid for the extent of services performed by him to the termination notice date.

ARTICLE 7. OWNERSHIP OF DOCUMENTS

A. All documents, including tracings of Contract Plans and Drawings, Cost Estimates, Specifications, Design Survey, Right of Way Documents, Field Notes, Information from Investigations and Studies, Computations, Written Approvals from Governmental Agencies, etc., as instruments of service, are to be the property of the Owner. During the performance of the Engineering Services, herein provided for, the Engineer shall be responsible for any loss or damage to the Documents, herein enumerated, while they are in his possession, and any such loss or damage shall be restored at his expense. Full access to the work during the preparation of the Contract Plans shall be available to the Owner and at the discretion of the Owner to other governmental agencies interested in this work.

B. Upon completion and final approval of the work by the Owner, the Engineer shall deliver to the Owner all design documents.

ARTICLE 8. NON-DISCRIMINATION

A. The Engineer shall not discriminate against any employee or applicant for employment to be employed in the performance of this Agreement, with respect to his hire, tenure, terms, conditions or privileges of employment because of his race, color, religion, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the Agreement.

ARTICLE 9. SUCCESSORS AND ASSIGNS

A. Except as otherwise herein provided, the rights and obligations created by this Agreement shall run to the benefit of and shall be binding upon the heirs, executors, administrators, assigns, and successors in interest of the parties hereto.

ARTICLE 10. SPECIAL PROVISIONS

A. The Engineer hereby designates Mr. Hubert L. Longest, Jr., as project engineer for the proposed Project and shall not change project engineers without written approval from the Owner.

BEAM, LONGEST & NEFF, INC.

BY: Hubert L Longest Jr
Hubert L. Longest, Jr.
President

ATTEST:

____
Secretary

ACCEPTANCE OF PROPOSAL

BOARD OF PUBLIC WORKS

J D. Boswell
Dr. Jerry D. Boswell, Chairman

Ronald L Bonar
Mr. Ronald L. Bonar, P.E.

William G. Williams
Mr. William G. Williams

Ivan A Lebamoff
Mayor Ivan A. Lebamoff

APPROVED as to form and legality

John H Logan
John H Logan, Associate City Attorney

ATTEST:

Edna I. Smith
Edna I. Smith, Executive Secretary
Board of Public Works

5 [illegible] 13

AGREEMENT TO MAINTAIN STREETS

THIS CONTRACT entered into in duplicate this 4th ~~30th~~ day of December ~~October~~, 1972, between the CITY OF FORT WAYNE, Indiana, acting by and through its Board of Public Works ("CITY") and CONNECTICUT GENERAL MORTGAGE AND REALTY INVESTMENTS, a Massachusetts business trust, ("CONNECTICUT GENERAL");

WHEREAS, CONNECTICUT GENERAL is the owner of real estate upon which an apartment project known as CANTERBURY GREEN is constructed and three of the dedicated streets, known as Stonehedge Boulevard, Old Dover Boulevard and Northgate Boulevard, which traverse in part the real estate upon which said Canterbury Green Apartments are constructed, and which Stonehedge Boulevard, Old Dover Boulevard and Northgate Boulevard are more particularly described on the attached Exhibit "A" (which describes Stonehedge Boulevard and Northgate Boulevard, and Exhibit "B" (which describes Old Dover Boulevard), which exhibits are hereby made a part hereof by reference, and

WHEREAS, CONNECTICUT GENERAL desires to have the CITY agree to maintain said streets when they become annexed to the City of Fort Wayne prior to their inspection by the City;

NOW, THEREFORE, in consideration of the City Engineer giving to CONNECTICUT GENERAL a letter agreeing that the CITY will maintain Stonehedge Boulevard, Old Dover Boulevard and Northgate Boulevard in the form attached hereto and hereby made a part hereof and marked Exhibit "C", CONNECTICUT GENERAL agrees to maintain Stonehedge Boulevard, Old Dover Boulevard and Northgate Boulevard as described until such time as the above-described streets are found to meet the required specifications and provisions set forth in the Allen County Board of Commissioners' Record Book 37, on page 609, or comparable specifications and provisions.

IN WITNESS WHEREOF, this agreement has been duly executed as of the date first above written by the duly authorized officers and representatives of the parties.

CONNECTICUT GENERAL MORTGAGE AND
REALTY INVESTMENTS

BY Thomas J Gallagher
Thomas J. Gallagher, Assistant Vice President

CITY OF FORT WAYNE, INDIANA

BY ____________________

BOARD OF PUBLIC WORKS

BY Don Boswell
Ronald H. Bonar
Williams

DEC 4 1972

APPROVED AS TO FORM AND LEGALITY

Logan
Associate
CITY ATTORNEY

NUMBER ____________

CERTIFICATE OF SURVEY

Registered in Indiana
No. 3761
No. 10074

OFFICE OF **B. F. KAPP**
CIVIL ENGINEER & LAND SURVEYOR FORT WAYNE

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No. DESCRIPTION OF STONEHEDGE BOULEVARD FROM THE NORTH LINE OF PHASE #3 AND DESCRIPTION OF NORTHGATE BOULEVARD ALL IN CANTERBURY GREEN.

Located within the South ½ of the Northeast ¼ of Section 19, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the intersection of the Easterly line of Stonehedge Boulevard with the Northerly line of Phase #3, Canterbury Green; thence North 72 degrees West along the Northerly line of Phase #3, Canterbury Green, 79.27 feet to the Westerly line of said Stonehedge Boulevard; thence by deflection right of 87 degrees 47 minutes, 58.6 feet along the Westerly edge of Stonehedge Boulevard; thence by deflection left of 3 degrees 7.5 minutes, 105.0 feet to point of curve; thence on a curve to the left, radius of 518.76 feet, delta of 12 degrees 01 minutes a distance of 108.77 feet; thence North on the tangent of the aforesaid curve, 15.6 feet to point of curve; thence on a curve to the right, radius of 205.0 feet, delta of 90 degrees, a distance of 322.01 feet to the termination of Stonehedge Boulevard and the beginning of NORTHGATE BLVD; thence East along the tangent of the aforesaid curve 518.0 feet to point of curve; thence on a curve to the left, radius of 313.0 feet, delta of 22 degrees 51 minutes, 124.82 feet to the East line of Phase #5, Canterbury Green; thence South along the East line of Phase #5, Canterbury Green, 74.5 feet; thence on a curve to the right, radius of 383.0 feet, delta of 18 degrees 38 minutes, a distance of 124.82 feet, said distance being along the South line of Northgate Boulevard; thence West along the tangent of the aforesaid curve 518.0 feet to point of curve and the termination of Northgate Boulevard, and the beginning of Stonehedge Boulevard; thence on a curve to the left, radius of 135.0 feet, delta of 90 degrees, a distance of 212.05 feet; thence South along the tangent of the aforesaid curve 15.6 feet to point of curve; thence on a curve to the right , radius of 588.76 feet, delta of 12 degrees 01 minutes, a distance of 123.44 feet; thence South along the tangent of the aforesaid curve, 105.0 feet; thence South 66.2 feet to the point of beginning.

For..

IN WITNESS WHEREOF, I place my hand and seal, this..........day of ...., 19.......

....

Exhibits A [redacted]

NUMBER____________

CERTIFICATE OF SURVEY

Registered in Indiana
No. 3761
No. 10074

OFFICE OF **B. F. KAPP**
CIVIL ENGINEER & LAND SURVEYOR FORT WAYNE

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY ~~Lot No.~~ DESCRIPTION OF OLD DOVER BOULEVARD

Located within the South ½ of the Northeast ¼ of Section 19, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of Phase #5, Canterbury Green; thence West along the North line of said Phase #5, Canterbury Green, 755.27 feet to the point of beginning, and the East line of Old Dover Boulevard; thence West along the North line of said Phase #5 Canterbury Green, 70.0 feet to the West line of said Old Dover Boulevard; thence by deflection left of 90 degrees, 17.0 feet to point of curve; thence on a curve to the right, delta of 10 degrees 32 minutes 54 seconds, radius of 425.0 feet, a distance of 78.24 feet; thence South along the tangent of the aforesaid curve 205.0 feet to point of curve; thence on a curve to the left, delta of 48 degrees 13 minutes, radius of 220.3 feet, a distance of 185.38 feet to Stonehedge Boulevard; thence Northeasterly along the Northerly line of said Stonehedge Boulevard, 73.6 feet to the Easterly line of Old Dover Boulevard; thence on a curve to the right, delta of 40 degrees 44 minutes, radius of 150.3 feet, a distance of 106.84 feet; thence North along the tangent of the aforesaid curve 205 feet to point of curve; thence on a curve to the left, delta of 10 degrees 32 minutes 54 seconds, radius of 495.0 feet, a distance of 91.13 feet; thence North 17.0 feet to point of beginning

For..

IN WITNESS WHEREOF, I place my hand and seal, this..........day of ...., 19........

....

Exhibit ~~C~~ B

H.T. 7-10-6

WATER MAIN IMPROVEMENT RESOLUTION

No. 1003, 1972

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a system of water mains, intended and adopted for local use by the property holders in the tract to be improved and also the requirements of other real estate to be served with extensions, be and the same is hereby ordered in and along the north side of Oakwood Dr., from the west property line of Hessen Cassel Road to the west property line of lot 16, also along the west side of Waycross Dr. from the north property line of Oakwood Dr., to the north property line of lot 19, all in Woodland Acres Addition.

said water main(s), with all its (their) appurtenances, shall be constructed in accordance with the plans and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders benefited, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Improvements, in or for the benefit of recorded platted additions to and/or within cities and towns." Approved May 16, 1927 and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 4th *day of* December 1972

BOARD OF PUBLIC WORKS:

Ronald L.

H. T

DECLARATORY RESOLUTION NO. 1329-1972

For the vacation of a 12 foot alley and part of a 10 foot alley in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit:

A 12 (twelve) foot wide alley running north-south direction and being more particularly described as follows: the west 12 feet of the east 31 feet of Lot #154 in Swinney's Addition to the City of Fort Wayne, Indiana, together with a 10 foot wide alley being more particularly described as follows: 10 (ten) foot in width and being located north of and contiguous to the north line of Lots #155 through #160 and the north line of the east 31 feet of Lot #154 in said Swinney's Addition,

also

An approximately 12 foot wide alley along the east bank of St. Mary's River in Swinney's Addition to the City of Fort Wayne, Indiana and a 23.5 foot and a 15 foot wide alley west of Lot #342 of said addition, which alley is also described as that portion of the alley lying west of said Lot #342 and north of vacated Wall Street. Said alley varies in width at various points along said east bank of the St. Mary's River and the general description contained herein is to vacate the entire alley west of the east line thereof hereinafter described. The east line of said alleys being more particularly described as follows:

Beginning on the east line of said 12 foot wide alley at a point situated 77.4 feet south of the northwest corner of Lot #239 of said Swinney's Addition; thence northerly, along the west line of Lots #239 and #240 and across a 11 foot wide vacated alley, a distance of 228.4 feet to the south line of vacated portion of Stophlet Street; thence northerly across Stophlet Street, 50.0 feet; thence northerly along the west line of Lot #283, a distance of 191.95 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the westerly line of Lot #284, 152.2 feet to the south line of vacated portion of Swinney Street; thence northwesterly, across said street, 60.7 feet; thence northwesterly, along the west line of Lot #310, a distance of 153.8 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the west line of Lot #311, a distance of 159.4 feet to the south line of vacated portion of Wall Street; thence northeasterly, across said street, 53.1 feet to the southwest corner of Lot #342; thence northerly, along the west line of said Lot, 109.5 feet to the south line of said 23.5 foot wide alley; thence northerly, continuing along the west line of said Lot #342, a distance of 50.0 feet to the north line of a 10 foot wide vacated alley along and contiguous to the north line of Lot #342. Containing 0.706 acre of land and also parts of Lots Numbered #239 and #240, which are utilized as part of the alley immediately described above, said parts being more particularly described as follows:

Beginning on the north line of Lot #240 of said addition at a point located 18.0 feet westerly of the northeast corner of said lot; thence southerly and parallel with the east line of said Lot 145.5 feet to the centerline of a vacated alley; thence easterly along said center line 18.0 feet to the northerly projection of the east line of Lot #239 of said addition; thence southerly along the east line of said Lot #239, 88.5 feet to the north right-of-way line of Taylor Street as now exists; thence westerly, along said right-of-way line, 19.9 feet; thence northerly and parallel with the east line of said Lot #239, 5.0 feet; thence westerly and parallel with the north line of said Lot #239, 16.45 feet to the west line of said Lot #239; thence northerly along said west line 77.4 feet to the northwest corner of said lot; thence northerly along the west line of said alley, 11.0 feet to the southwest corner of said Lot #240; thence northerly along the west line of said lot, 140.0 feet to the northwest corner of said lot; thence easterly along the north line thereof to the place of beginning.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the following described property:

A 12 (twelve) foot wide alley running north-south direction and being more particularly described as follows: the west 12 feet of the east 31 feet of Lot #154 in Swinney's Addition to the City of Fort Wayne, Indiana, together with a 10 foot wide alley being more particularly described as follows: 10 (ten) foot in width and being located north of and contiguous to the north line of Lots #155 through #160 and the north line of the east 31 feet of Lot #154 in said Swinney's Addition,

also

An approximately 12 foot wide alley along the east bank of St. Mary's River in Swinney's Addition to the City of Fort Wayne, Indiana and a 23.5 foot and a 15 foot wide alley west of Lot #342 of said addition, which alley is also described as that portion of the alley lying west of said Lot #342 and north of vacated Wall Street. Said alley varies in width at various points along said east bank of the St. Mary's River and the general description contained herein is to vacate the entire alley west of the east line thereof hereinafter described. The east line of said alleys being more particularly described as follows:

Beginning on the east line of said 12 foot wide alley at a point situated 77.4 feet south of the northwest corner of Lot #239 of said Swinney's Addition; thence northerly, along the west line of Lots #239 and #240 and across a 11 foot wide vacated alley, a distance of 228.4 feet to the south line of vacated portion of Stophlet Street; thence northerly across Stophlet Street, 50.0 feet; thence northerly along the west line of Lot #283, a distance of 191.95 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the westerly line of Lot #284, 152.2 feet to the south line of vacated portion of Swinney Street; thence northwesterly, across said street, 60.7 feet; thence northwesterly, along the west line of Lot #310, a distance of 153.8 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the west line of Lot #311, a distance of 159.4 feet to the south line of vacated portion of Wall Street; thence northeasterly, across said street, 53.1 feet to the southwest corner of Lot #342; thence northerly, along the west line of said Lot, 109.5 feet to the south line of said 23.5 foot wide alley; thence northerly, continuing along the west line of said Lot #342, a distance of 50.0 feet to the north line of a 10 foot wide vacated alley along and contiguous to the north line of Lot #342. Containing 0.706 acre of land and also parts of Lots Numbered #239 and #240, which are utilized as part of the alley immediately described above, said parts being more particularly described as follows:

Beginning on the north line of Lot #240 of said addition at a point located 18.0 feet westerly of the northeast corner of said lot; thence southerly and parallel with the east line of said Lot 145.5 feet to the centerline of a vacated alley; thence easterly along said center line 18.0 feet to the northerly projection of the east line of Lot #239 of said addition; thence southerly along the east line of said Lot #239, 88.5 feet to the north right-of-way line of Taylor Street as now exists; thence westerly, along said right-of-way line, 19.9 feet; thence northerly and parallel with the east line of said Lot #239, 5.0 feet; thence westerly and parallel with the north line of said Lot #239, 16.45 feet to the west line of said Lot #239; thence northerly along said west line 77.4 feet to the northwest corner of said lot; thence northerly along the west line of said alley, 11.0 feet to the southwest corner of said Lot #240; thence northerly along the west line of said lot, 140.0 feet to the northwest corner of said lot; thence easterly along the north line thereof to the place of beginning.

DECLARATORY RESOLUTION NO. 1329 -1972 (Cont'd.)

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said vacation shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such vacation is described as follows: Lots 153 to 160 inclusive, Lots 238, 240, 241, 283, 284, 310, 311, 342 and 343, all in Swinney's Addition, to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory therto and supplemental thereof, including the right to bond assessments as in said law ordered.

The vacation of the above described alleys shall be subject to easements for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits, in accordance with those provisions as set forth in the attached agreements which is incorporated herein and made a part thereof.

All streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section 10, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 20th DAY OF November 19 72

J D. Boswell

Ronald L Bonar

Attest: ______________________
Secretary Board of Public Works

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Board of Public Works

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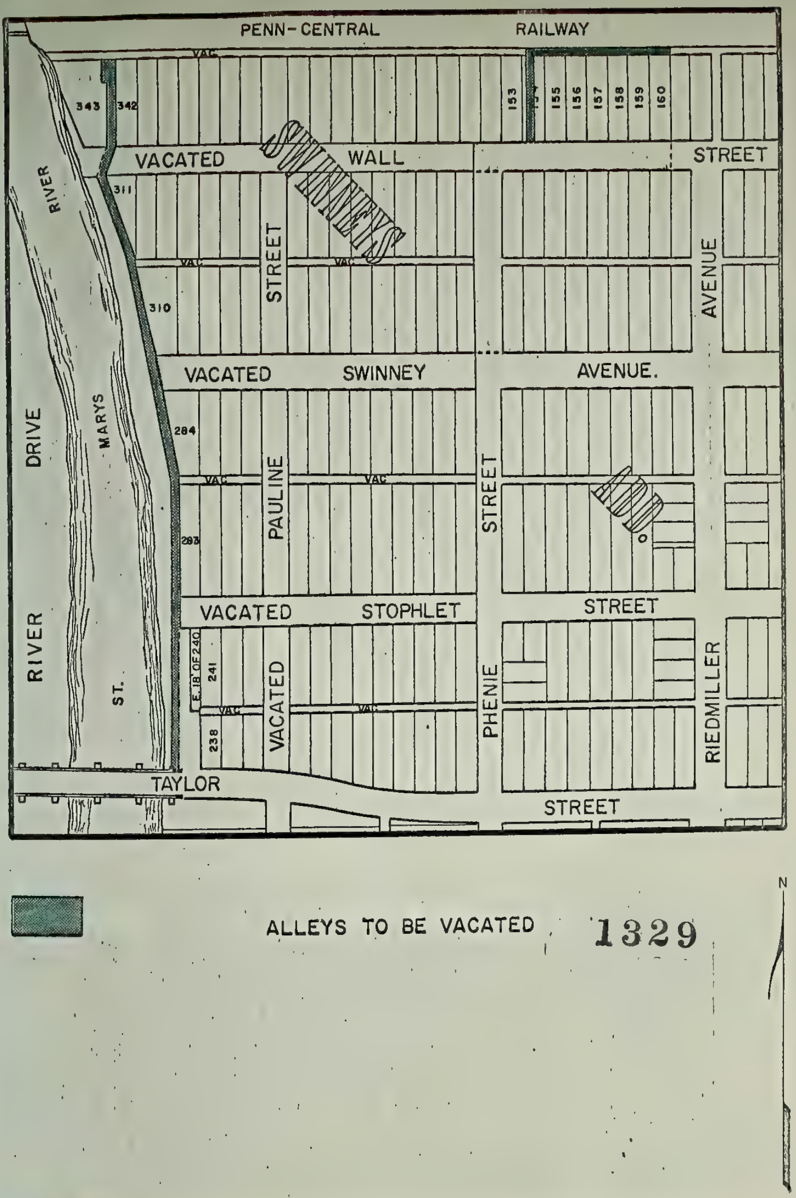
PENN-CENTRAL RAILWAY
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160
VACATED WALL STREET
RIVER
311
SWINNEY'S
STREET
VAC
310
AVENUE
VACATED SWINNEY AVENUE.
DRIVE
MARYS
284
PAULINE
STREET
ADD.
283
VACATED STOPHLET STREET
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241
238
VACATED
PHENIE
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ALLEYS TO BE VACATED
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DECLARATORY RESOLUTION NO. 1328-1972

H I

For the vacation of Wall Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit:

> Beginning on the southeast corner of Lot #160 in said Swinney's Addition; thence westerly, along the north line of Wall Street, 325.65 feet to the northerly projection of the west line of Phenie Street; thence southerly, along said projected line, 50.0 feet to the south line of Wall Street; thence easterly, along said south line, 325.65 feet to the southerly projection of the east line of Lot #160 of said Addition; thence northerly, along said projected line 50.0 feet to the point of beginning.

Also

Phenie Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit:

> Beginning at the intersection of the east line of Phenie Street with the south line of Wall Street; thence westerly, along the south line of Wall Street 45.65 feet to the west line of Phenie Street; thence southerly, along said west line, 312.0 feet to the westerly projection of the north line of Swinney Avenue, thence easterly, along said projected north line 45.65 feet to the east line of Phenie Street; thence northerly, along said east line, 312.0 feet to the point of beginning.
>
> The vacation of Phenie Street may also be described as the east 10.65 feet of Phenie Street as established by Declaratory Resolution 501-1925 and the east 35 feet of Phenie Street as established by Declaratory Resolution 801-1949, said 35 feet east, formerly being Lots 151 and 108, Swinney's Addition to the City of Fort Wayne, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the following described property:

[redacted] Wall Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit:

> Beginning on the southeast corner of Lot #160 in said Swinney's Addition; thence westerly, along the north line of Wall Street, 325.65 feet to the northerly projection of the west line of Phenie Street; thence southerly, along said projected line, 50.0 feet to the south line of Wall Street; thence easterly, along said south line, 325.65 feet to the southerly projection of the east line of Lot #160 of said Addition; thence northerly, along said projected line 50.0 feet to the point of beginning.

Also

Phenie Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit:

> Beginning at the intersection of the east line of Phenie Street with the south line of Wall Street; thence westerly, along the south line of Wall Street 45.65 feet to the west line of Phenie Street; thence southerly, along said west line, 312.0 feet to the westerly projection of the north line of Swinney Avenue, thence easterly, along said projected north line 45.65 feet to the east line of Phenie Street; thence northerly, along said east line, 312.0 feet to the point of beginning.
>
> The vacation of Phenie Street may also be described as the east 10.65 feet of Phenie Street as established by Declaratory Resolution 501-1925 and the east 35 feet of Phenie Street as established by Declaratory Resolution 801-1949, said 35 feet [redacted], formerly being Lots 151 and 108, Swinney's Addition to the City of Fort Wayne, Indiana.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

DECLARATORY RESOLUTION NO. 1328 -1972

The cost of said Vacation of right of way [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation is described as follows: Lots 143 to 150 inclusive, 152 to 160 inclusive, 327, 109, all in Swinney's Addition to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

The vacation of the above described streets shall be subject to easements for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits, in accordance with those provisions as set forth in the attached agreements which is incorporated herein and made a part thereof.

All streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section 10, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 20th DAY OF November 1972

BOARD OF PUBLIC WORKS

J. W. Boswell

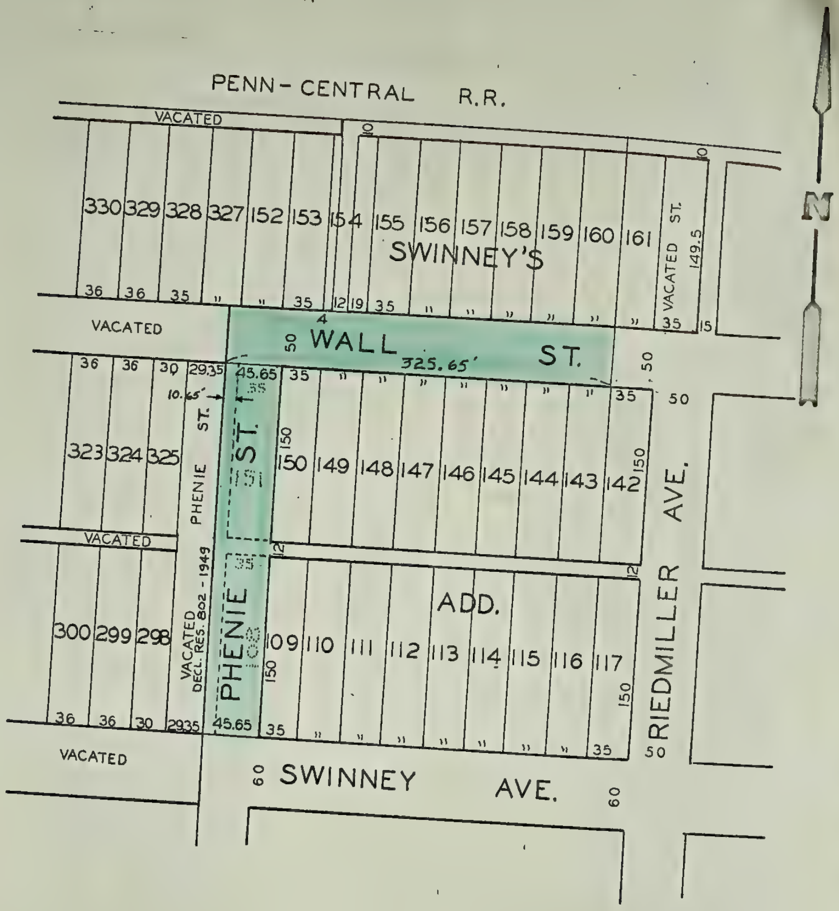
Ronald L. Bonar

ATTEST:

Secretary, Board of Public Works

🟩 STREETS TO BE VACATED

1328



PENN-CENTRAL R.R.
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SWINNEY'S
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36 36 30 29.35 45.65 35 35
10.65'
PHENIE ST.
ST.
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150 149 148 147 146 145 144 143 142
150
RIEDMILLER AVE.
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LAW OFFICES
ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN
INDIANA BANK BUILDING
FORT WAYNE, INDIANA

59-42-9

AGREEMENT FOR SEWER EXTENSION

72 25146

THIS AGREEMENT, made in triplicate this 9th day of November, 1972, by and between PHILIP M. CLEMENS and CLAIRE A. CLEMENS, husband and wife, and DANIEL P. CLEMENS and MARGARET MARY CLEMENS, husband and wife, hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal corporation, hereinafter referred to as "City",

WITNESSETH:

WHEREAS, the Developer has constructed a sanitary sewer over a tract of ground 14 feet in depth along the northwest property line of the following described real estate in Allen County, Indiana, to-wit:

> A part of the Northwest quarter of Section 23, Township 31 North, Range 12 East in Allen County, Indiana, more specifically described as follows: Commencing at a point on the West line of the East half of the Northwest quarter of said Section 23, Township 31 North, Range 12 East that is a distance of 1754 feet North of the Southwest corner of said East half of the Northwest quarter, thence continuing North along said West line a distance of 416.8 feet to a point on the South right of way of Interstate No. 69, thence North 60 degrees 25 minutes 15 seconds East along said right of way a distance of 649.83 feet, thence South 47 degrees 47 minutes 45 seconds East a distance of 334.5 feet to a point on the centerline of Industrial Road, thence along said centerline, on a curve to the left having a radius of 572.96 feet, a distance of 574.70 feet to a point, thence West a distance of 573 feet to the point of beginning, containing 8.96 acres more or less,

1972 NOV 9 PM 3 01

ALLEN COUNTY RECORDER

said sewer being eight inches in diameter and in accordance with the plans, specifications and profiles heretofore submitted to the City and now on file in the office of the Chief Water Pollution Control Engineer of the City and known as Sanitary Sewer - Board Order 214-70, which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the Developer has an interest, but also adjoining land areas;

WHEREAS, the cost of such construction was in fact $6,270.35, composed

Bd. Works-2524

750

of $5,315.43 for construction costs; $450.00 for engineering services; $354.92 for City inspection fees; and $150.00 for legal fees;

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER. The Developer has caused said sewer to be constructed and located in accordance with the plans, specifications and profiles, all approved by the City, under a private contract let on September 15, 1970. All work and materials were subject to inspection by the City and the City had the right to halt construction if there was any non-compliance therewith. With all technical legalities acceptable and upon completion, said sewer is to become the property of the City and the City accept sewerage therefrom, subject to such sewer service charge as may now or hereafter be regularly established by the City and all further maintenance hereafter to be borne by the City.

2. COST OF CONSTRUCTION. The entire cost of construction was paid by the Developer after having received other bids for the work, all of which was less than the work was estimated to cost by the person actually completing the construction.

3. AREA OF DEVELOPER. Said sewer, as accepted by the City, serves the following two tracts of real estate:

(a) The tract of real estate owned by the Developer over which the easement is granted and as is described in the second paragraph of this agreement for a sewer extension, containing 8.96 acres more or less, with an accessable area consisting of 146,000 square feet as shown on Exhibit "A".

(b) Real estate adjacent to and immediately northeast of the real estate of the Developer, titled in the name Acme Heat Treat, Inc.

and described as follows, to-wit:

A part of the Northwest quarter of Section 23, Township 31 North, Range 12 East in Allen County, Indiana, more specifically described as follows: Commencing at a point on the West line of the East half of the Northwest quarter of said Section 23, Township 31 North, Range 12 East that is a distance of 1754 feet North of the Southwest corner of said East half of the Northwest quarter, thence continuing North along said West line a distance of 416.8 feet to a point on the South right of way of Interstate No. 69, thence North 60 degrees 25 minutes 15 seconds East along said right of way a distance of 649.83 feet, for a place of beginning; thence South 47 degrees, 47 minutes, 45 seconds East a distance of 334.5 feet to a point on the centerline of Industrial Road, thence along said centerline to the point of intersection of Industrial Road and Washington Center Road; thence West along the centerline of Industrial Road to a point of intersection of Industrial Road and the South right of way of Interstate No. 69; thence Southwest along the South right of way line of Interstate No. 69 to a point of beginning, containing 2.13 acres, more or less, with a reimbursable area consisting of 40,000 square feet, as shown on Exhibit "A".

As the Developer has paid the cost of construction of said sewer as it pertains to the described area in Paragraph (a) above, in the area depicted by Exhibit "A", no charge or assessment is made by this agreement to the Developer, except the standard tap-in, inspection fees and monthly sewage treatment charges.

4. CHARGE AGAINST EXCESS AREA. Said sewer, however, also serves an additional or excess area being part of the area as described in subparagraph (b) above and is shown on the attached Exhibit "A". In the event any present or future owner of the real estate described in subparagraph (a) above shall at any time within fifteen (15) years of the date of this agreement, desire to use said sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local lines to service such land; City, through its duly constituted authorities, before permitting such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to the City, in addition to the cost of standard tap-in and inspection fees, the sum of .03371156 per square foot for the area served by each such connection and use, which represents the pro rata share

of the cost of the extension of the City sewer to said excess area. The amount so collected by the City shall be paid by the City within sixty (60) days of the receipt thereof by the City, to the Developer.

5. BOND. The contractor furnished a satisfactory Performance and Guarantee Bond for the value of the sewer which guaranteed said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the City.

6. LIMITATION ON USE. Said sewer was constructed for disposal of sanitary sewage only and neither the parties hereto, their successors or assigns, or any future owner of any land serviced by said sewer, shall at any time discharge or permit to be discharged or to flow into said sanitary sewer, any water runoff caused by natural precipitation or anything other than sanitary sewage or contaminated waste.

IN WITNESS WHEREOF, the parties have subscribed to this agreement the day and year first above written.

DEVELOPER:

P.M. Clemens
Philip M. Clemens

Claire A. Clemens
Claire A. Clemens

Daniel P. Clemens
Daniel P. Clemens

Margaret Mary Clemens
Margaret Mary Clemens

CITY OF FORT WAYNE, INDIANA

By Ivan A. Lebamoff
Ivan Lebamoff, Mayor

BOARD OF PUBLIC WORKS

By J. D. Powell

By Ronald L Bonar

By William S Williams

ATTEST:

Edna L. Smith
Clerk

Approved as to form and legality:

John H Logan
Associate City Attorney

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Philip M. Clemens and Claire A. Clemens, husband and wife, and Daniel P. Clemens and Margaret Mary Clemens, husband and wife, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 9th day of November, 1972.

Thomas D. Logan
Thomas D. Logan
Notary Public

My Commission expires:
September 7, 1976

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Board of Public Works of the City of Fort Wayne by J. D. Boswell, Chairman, R. L. Bonar, Member, W. G. Williams, Member, and Edna I. Smith, Clerk of said Board of Public Works of the City of Fort Wayne and acknowledged the execution of the foregoing agreement for and on behalf of said Board and by its authority.

WITNESS my hand and Official Seal this 9th day of November, 1972 1972.

Anne J. Fox
Notary Public

My Commission expires:
March 6, 1976

GENERAL CONTRACTORS AND BUILDERS OF STEEL AND CONVENTIONAL BUILDINGS

2315 NORTH CLINTON STREET
FORT WAYNE, INDIANA 46805

FRANK ALBRIGHT
627-3138

(219) 484-2587

HAROLD BANDELIER
749-1475

November 28, 1969

National Plastics Corp.
5727 Industrial Road
Fort Wayne, Indiana

Re: Contract for installing Sanitary System

This bid is to install sanitary sewer main only from existing sewer to terminating manhole; this bid does not include six inch sewer service.

Total price for this work:......................$5,315.43

Thank you,

Frank Albright

Frank Albright, President
A & B Construction Inc.

FA/hk

AMERICAN BUILDINGS COMPANY

FRANCHISED BUILDERS FOR AMERICAN STEEL BUILDINGS

HIPSKIND ASPHALT CORPORATION
Blacktop - Concrete - Earthmoving - Trucking
6525 Ardmore Avenue Fort Wayne, Indiana 46809
Phone 219 747-7471

PROPOSAL SUBMITTED TO NATIONAL PLASTICS CORPORATION	PHONE	DATE SEPTEMBER 15, 1970
STREET 5727 INDUSTRIAL DRIVE	JOB NAME NEW SANITARY SERVICE	
CITY, STATE AND ZIP CODE FORT WAYNE, INDIANA	JOB LOCATION	
ARCHITECT ATTN: MR. PHIL CLEMENS	DATE OF PLANS	JOB PHONE

We hereby submit specifications and estimates for:

Furnish and install approximately 650 l.ft. of 8" VCP and 2 manholes, all in strict accordance with City of Fort Wayne Standards and Specifications.

This Proposal ☒ Does ☐ Does Not include applicable INDIANA SALES TAX.

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

SIX THOUSAND FOUR HUNDRED NINETY - - - - - - - - - - - dollars ($ 6,490.00).

Payment to be made as follows:

NET THIRTY DAYS

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature David L. Hipskind
Treasurer

Note: This proposal may be withdrawn by us if not accepted within thirty (30) days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature ______________________

Date of Acceptance: ______________________

Signature ______________________

FORM 118 COPYRIGHT 1960 - NEW ENGLAND BUSINESS SERVICE, INC., TOWNSEND, MASS. 01469

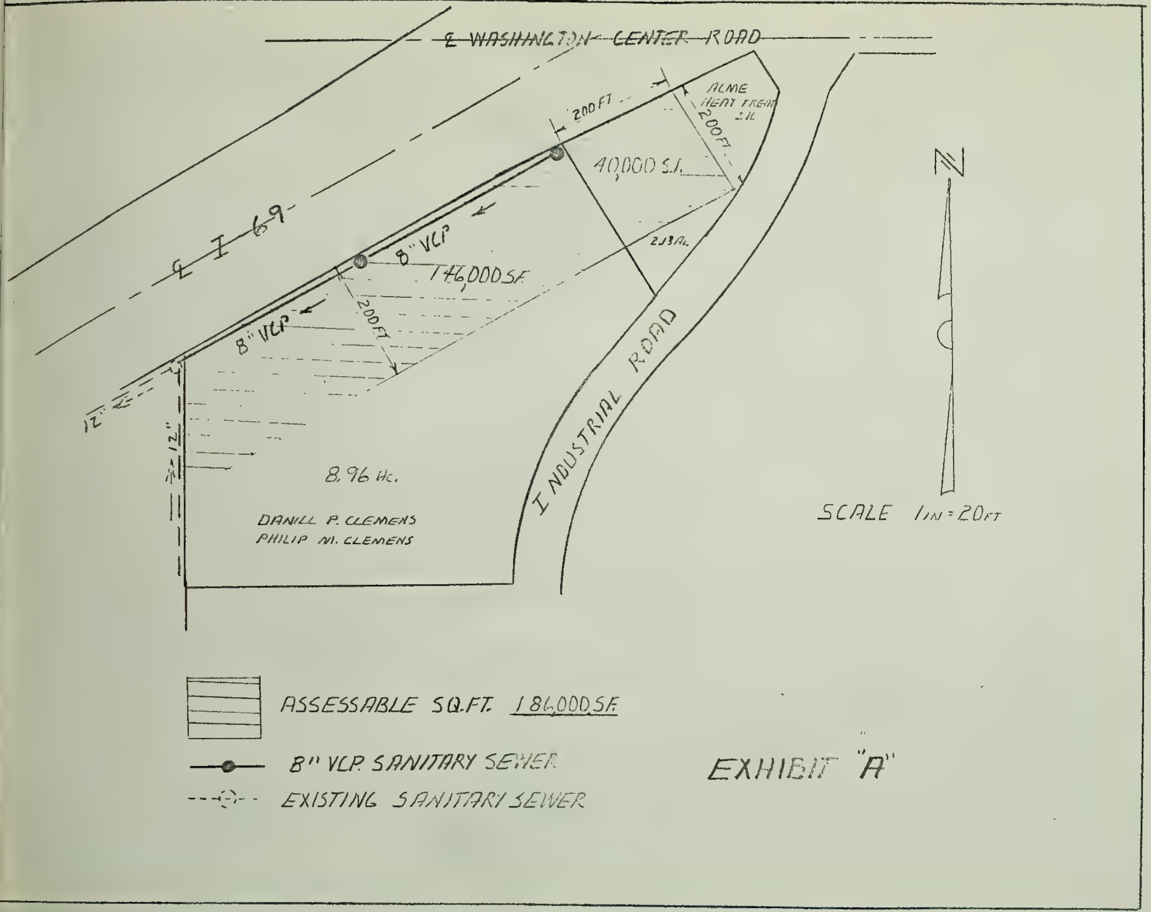

℄ WASHINGTON CENTER ROAD
℄ I 69
ALME HEAT TREAT INC.
200 FT
200 FT
40,000 S.F.
2.13 Ac.
8" VCP
146,000 SF
8" VCP
200 FT
12"
12"
8.96 Ac.
DANILL P. CLEMENS
PHILIP M. CLEMENS
INDUSTRIAL ROAD
N
SCALE 1IN = 20FT
ASSESSABLE SQ.FT. 186,000 SF.
8" VCP SANITARY SEWER
EXISTING SANITARY SEWER

EXHIBIT "A"

TOTAL DOLLARS SPENT ON 8" V.C.P.
2-M.H.
ENGINEERING 8"LINE ONLY - [illegible]
RESTORATION " " "
CITY INSP FEE " " "

TOTAL LAND AREA BENIFITED.

CLEMENS	146000 SF.
HARRIS	40 000 SF.
	186000 SF.

$$\text{COST PER SF} = \frac{\text{TOTAL COST}}{\text{LAND AREA BENIFITED}} = \frac{6270.35}{186{,}000\text{SF.}}$$

EACH LANDS COST = REPRESENTS MONIES PAID OR DUE.
146000 SF X 0.03371156 = 4921.88
40000 SF X 0.03371156 = 1348.47

57-37-1

WATER MAIN IMPROVEMENT RESOLUTION

No. 1005, 19 72

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a system of water mains, intended and adopted for local use by the property holders in the tract to be improved and also the requirements of other real estate to be served with extensions, be and the same is hereby ordered in and along the south side of Homedale Dr., from the west property line of Hessen Cassel Rd. to the west property line of Lot #12, also on Waycross Dr., from the north property line of Lot #14, to the south property line of lot #11 , all in Hickory Grove Addition Section "A".

said water main(s), with all its (their) appurtenances, shall be constructed in accordance with the plans and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders benefited, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Improvements, in or for the benefit of recorded platted additions to and/or within cities and towns." Approved May 16, 1927 and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of six per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 31st *day of* October 19 72

BOARD OF PUBLIC WORKS:

Boswell

Ronald L. Bonar

[illegible] 6-6 P
10/31/72

Irene Linehart
ALLEN COUNTY RECORDER

1972 OCT 31 PM 4 00

72 24433

AGREEMENT
FOR
STORM SEWER EXTENSION

THIS AGREEMENT, made in triplicate this 21st day of September, 1972 by and between CAMBRIDGE SQUARE OF FORT WAYNE II, hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the DEVELOPER desired to construct a storm sewer described as follows:

> Commencing at a proposed headwall located 445 ± feet North of the centerline of State Road #327 and Cook Road and 65 ± feet East of the centerline of State Road #327; thence, in a Northwesterly direction a distance of 85 ± feet to a proposed manhole; thence North in and along the West right-of-way of State Road #327 a distance of 225 ± feet to a proposed manhole; thence, Northwesterly in and along an easement a distance of 663 ± feet to the East property line of Cambridge Square Fort Wayne II 645 ± feet South of the centerline of Cook Road; thence Northwesterly a distance of 120 ± feet to proposed structure No. 104; thence, Northwesterly a distance of 295 ± feet; thence, Westerly a distance of 156 ± feet; thence, Southwesterly a distance of 175 ± feet to Structure No. 101; thence, Westerly a distance of 6 ± feet, terminating on the West property line of Cambridge Square Fort Wayne II 902 ± feet North of the centerline of Cook Road.

in accordance with plans, specifications and profiles heretofore submitted to the CITY and now on file in the office of the Chief Engineer of the Water Pollution Control Engineering Department of the CITY, and known as CAMBRIDGE SQUARE OF FORT WAYNE II STORM SEWER which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the DEVELOPER has an interest, but also adjoining land areas.

WHEREAS, the cost of the construction of said sewer is represented to be $105,793.24, composed of $98,732.00 for construction costs; $6,911.24 for engineering and inspection services; and $150.00 for legal fees.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The DEVELOPER shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY, under private contract with CITY approval. All work and materials shall be inspected by the CITY and conform with all CITY standards and specifications. Upon completion, said sewer shall become the property of CITY and all further maintenance thereafter shall be borne by the CITY.

8^{50}

Bd. Wks. Bx - Call

2. COST OF CONSTRUCTION

The DEVELOPER agrees to pay the entire cost and expense of construction of said sewer, in cash, including CITY engineering and inspection fees, and to hold the CITY harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER

Said sewer, when accepted by the CITY, will serve the following described real estate:

> A part of the Southeast Quarter of the Southeast Quarter of Section 11, Township 31 North of Range 12 East in Allen County, Indiana, being more particularly described as follows, towit:
>
> Beginning at a point on the South line of said Southeast Quarter Section 676.499 feet North 89 degrees 07 minutes 01 seconds West (assumed bearing) of the Southeast corner thereof; thence, North 89 degrees 07 minutes 01 seconds West upon and along said South line a distance of 635.00 feet to a point; thence, North 00 degrees 08 minutes 17 seconds West a distance of 1,336.325 feet to a point; thence, South 88 degrees 49 minutes 43 seconds East a distance of 635.066 feet to a point; thence, South 00 degrees 08 minutes 17 seconds East a distance of 1,333.128 feet to the point of beginning, containing 19.454 acres, more or less.
>
> Subject, however, to the right-of-way for Cook Road off the entire South side thereof; subject, further to all other legal easements and rights-of-way.

As the DEVELOPER will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard tap-in, inspection fees and/or charges as are customarily charged by the CITY for connections to CITY sewer mains.

4. CHARGE AGAINST EXCESS AREA

Said sewer, when constructed, will also serve the additional or excess area as shown on attached Exhibit "A".

In the event any present or future owner of said described excess area shall at any time within fifteen (15) years after the date of this contract, desire to use said sewer or any extension thereof, whether by direct tap or through the extension or connection of lateral or local lines to service such land; CITY, through its duly constituted authorities, before permitting such use, shall require by contract or assessment, as may be appropriate, that such owner or owners of said excess area pay to CITY in addition to the cost of standard tap-in and inspection fees, the sum of $599.64 per acre for the area served by each such connection and use, which represents the oversizing share of the cost of the extension of CITY sewer to said excess area. Schedule 1 and Exhibit "A", showing properties in excess area subject to charge for construction and use of sewer as of this date is attached.

The amount so collected by the CITY shall be paid by CITY within sixty (60) days of the receipt thereof by CITY to DEVELOPER.

5. BOND

This contract is subject to DEVELOPER furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the CITY.

6. WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION

The DEVELOPER, for himself, his successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of any territory now or hereafter owned by him, as described in Article 3 herein, or hereafter served by said sewer or any extension thereof.

In further consideration and to induce CITY to execute and ratify this contract, said DEVELOPER, for himself, his successors and assigns, agrees by this contract to vest in CITY the permanent right at its discretion to annex to the CITY OF FORT WAYNE at any future time by duly authorized ordinance the said real estate described in Article 3 herein.

DEVELOPER further agrees that any deeds, contract, or other instruments of conveyance made by the DEVELOPER, its successors or assigns transferring or conveying any interest or title in and to any of the real estate described in Article 3 herein, shall contain the waiver and release provisions contained in this article, which provisions shall run with the land and the acceptance of the delivery of any such instrument from the DEVELOPER, his successors and assigns by any grantee, vendee, or contract purchaser, shall be made subject to the terms of this Agreement and shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contract purchaser and their successors in title.

The Developer further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of CITY as hereinafter provided.

Any owner or owners of land which is now, or hereafter located outside the corporate limits of CITY who connect into the sewer constructed hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of such land or of the territory in which it is located or of the area served by said sewer.

7. GOVERNING STATUTE

It is the intention of the parties hereto to utilize and take advantage of and apply to this Agreement the provisions of Sections 16, 17 and 18 of Chapter 128 of the Acts of 1967 of the State of Indiana (Burns Indiana Statutes Anno., 1968 supple., Sections 48-3963, 3964 and 3965), the provisions of which Sections shall govern with respect to any matters not specifically outlined herein.

Deleted

~~8. COUNCILMANIC APPROVAL~~

~~It is understood and agreed that this contract is in all respects subject to approval by the Common Council of CITY, by duly adopted Ordinance, and if such Ordinance is not adopted within a period of ninety (90) days after execution thereof, this contract shall be null and void and of no further force and effect.~~

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER: CAMBRIDGE SQUARE OF
FORT WAYNE II

James T. Bisesi - General Partner

CITY OF FORT WAYNE, INDIANA

By Ivan A. Lebamoff
(Ivan Lebamoff) Mayor

APPROVED AS TO FORM AND LEGALITY
John H Logan
Associate CITY ATTORNEY

BOARD OF PUBLIC WORKS

By Jerry D. Boswell
Jerry D. Boswell, Chairman

By Ronald L. Bonar
Ronald L. Bonar, Member

By
William G. Williams, Member

OCT 31 1972

ATTEST:

Clerk

Approved as to form and legality

____
Associate City Attorney

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ivan Lebamoff, Mayor, Jerry D. Boswell, Chairman, Ronald L. Bonar and William G. Williams, Members of Board of Public Works, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 31st day of October, 1972

Anne J. Fox

My Commission expires
March 6, 1976

MARION
STATE OF INDIANA, COUNTY OF XXXXN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Cambridge Square of Fort Wayne II, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal, this 21st day of September 1972

Donna M. Raehn
Donna M. Raehn - Notary Public

My Commission Expires:

August 9, 1974

This Instrument prepared by Philip R. Boller, Registered Land Surveyor No. 9846, State of Indiana.

SCHEDULE 1

Wyneken, C. & L.

Southwest ¼, Southeast ¼ Section 11, Township 31 North, Range 12 East as recorded in Deed Record W-210

EXCEPT, Penn Railroad
EXCEPT, the part more particularly described as commencing at a point located at the centerline of the Penn Central Railroad and the centerline of the Cook Road; thence, North along said centerline a distance of 1,044 feet; thence, in a Southeasterly direction to a point on the East property line as recorded in Deed Record W-210 and 44 feet North of the centerline of Cook Road; thence, South a distance of 44 feet to the centerline of the Cook Road; thence, West a distance of 1,365 feet to the point of beginning.

Bids were received and opened February 15, 1972 at the City-County Building in the presence of members from the Water Pollution Control Engineering Department and the County Engineering Department. Since there were two offsite drainage areas involved, the developer was permitted to accept a base bid and two alternates to determine oversizing cost.

The base bid would reflect the actual work to be performed. Alternate "A" would represent the need of the developer. Alternate "B" would represent the need to serve the area of the developer plus the 20 ± acres to the Northwest.

Base Bid:	$126,879.00
Alternate "A":	$87,664.00
Alternate "B":	$98,732.00

Therefore, $98,732.00 - $87,664.00 = $11,068.00 x 7% for Engineering & Inspection = $11,842.76 + $150 legal fee = $11,992.76 ÷ 20 Acres = $599.64 Per Acre

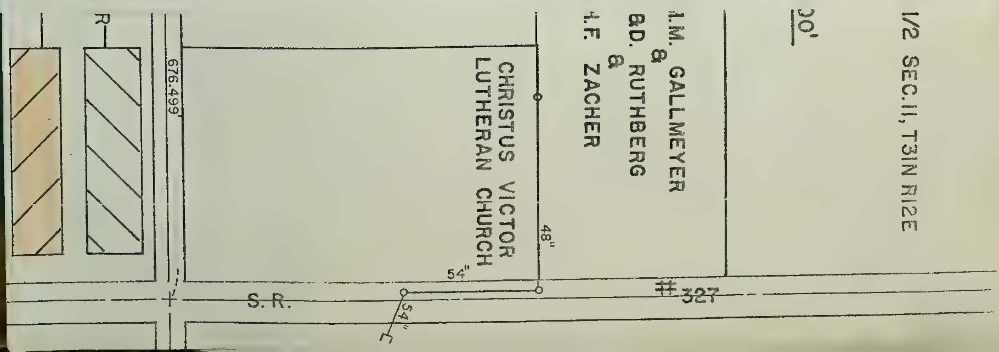
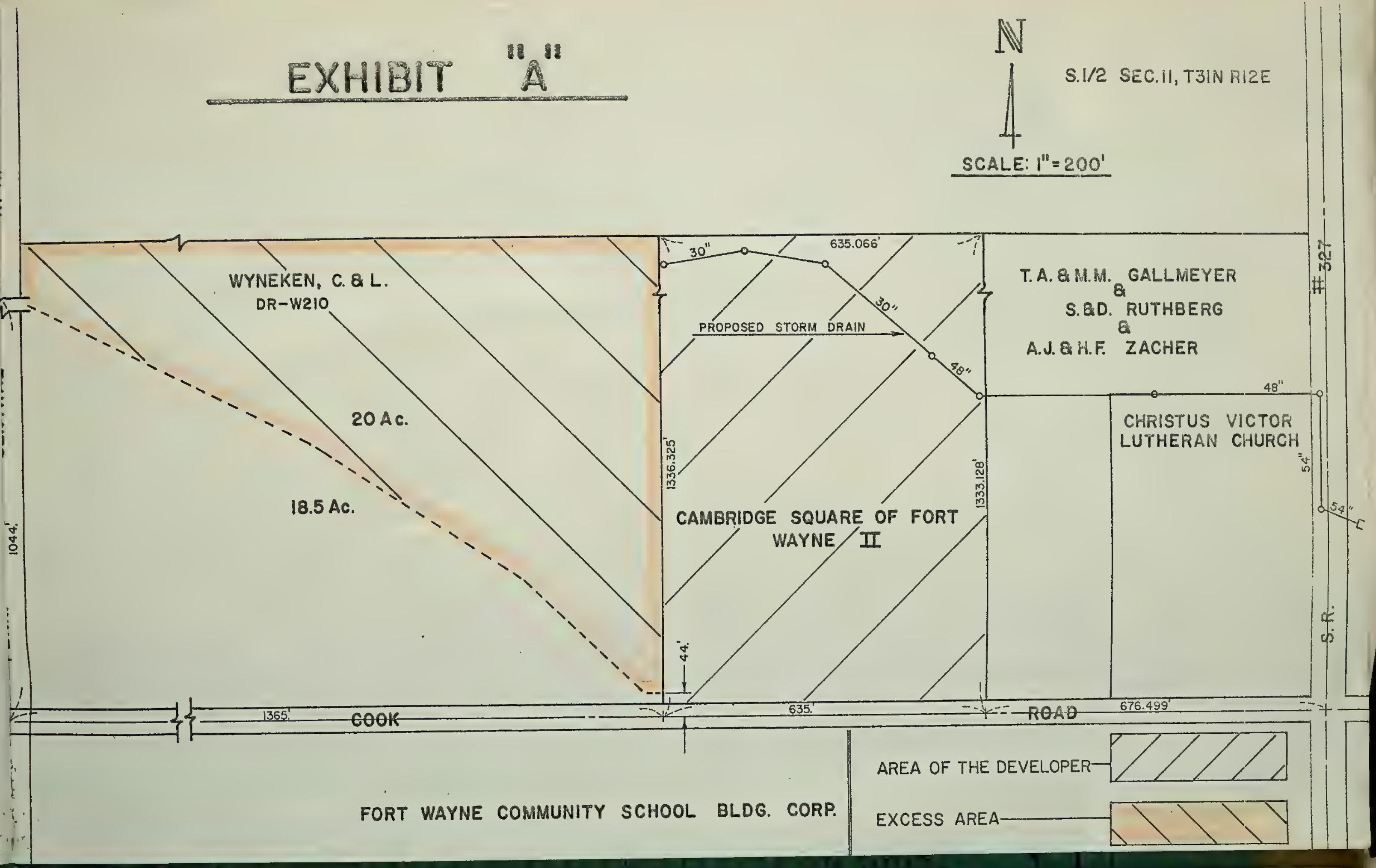


EXHIBIT "A"


N
S.1/2 SEC.11, T31N R12E
SCALE: 1"=200'
WYNEKEN, C. & L.
DR-W210
20 Ac.
18.5 Ac.
1044'
1336.325'
44'
30"
635.066'
30"
48"
PROPOSED STORM DRAIN
CAMBRIDGE SQUARE OF FORT WAYNE II
1333.128'
T.A. & M.M. GALLMEYER
&
S.&D. RUTHBERG
&
A.J. & H.F. ZACHER
48"
CHRISTUS VICTOR LUTHERAN CHURCH
54"
54"
#327
S.R.
1365'
COOK
635'
ROAD
676.499'
FORT WAYNE COMMUNITY SCHOOL BLDG. CORP.
AREA OF THE DEVELOPER
EXCESS AREA

WBP

STATE OF INDIANA

PUBLIC SERVICE COMMISSION OF INDIANA

IN THE MATTER OF THE APPLICATION OF THE CITY OF FORT WAYNE FOR APPROVAL OF A NEW SCHEDULE OF ELECTRIC RATES AND CHARGES.	CAUSE NO. 32874 APPROVED: OCT 24 1972

APPEARANCES:	For the Petitioner:	Paul Hirsch Haymaker, Hirsch and Fink 3602 North Meridian Street Indianapolis, Indiana
	For the Public:	John J. Metts Assistant Public Counselor 807 State Office Building Indianapolis, Indiana

BY THE COMMISSION:
Harold Hilt, Deputy Commissioner

On the 7th day of February, 1972, the City of Fort Wayne, Indiana, hereinafter called Petitioner, filed its verified petition with the Public Service Commission of Indiana for approval of a new schedule of electric rates and charges.

On May 31, 1972, the Commission, pursuant to Rule XVI of the Commission's Rules and Regulations Concerning Practice and Procedure, issued and caused to be published a notice that it would conduct a prehearing conference in this cause on June 12, 1972, at 10:00 A.M., EST, in the Rooms of the Commission, 907 State Office Building, Indianapolis, Indiana.

The prehearing conference was duly convened and held on the date and at the time and place as above set forth and proofs of mailing and publication of notice thereof were incorporated into the record and placed in the official files of the Commission. The Petitioner appeared by its counsel and the Assistant Public Counselor appeared on behalf of the Public. Upon consideration of the various matters reviewed and discussed at such prehearing conference, the Commission entered its Prehearing Order in this cause on June 30, 1972 containing certain findings and orders with respect to this cause, all of which are by reference incorporated into and made a part of this order.

On July 10, 1972, the Petitioner filed an amendment to its petition which consisted of the rate ordinance passed by the City of Fort Wayne, General Ordinance No. G-07-72. On July 12, 1972, the Petitioner filed Exhibit A to the rate ordinance which was the actual schedule of rates and charges proposed by the Petitioner in this cause.

On July 31, 1972, pursuant to the Prehearing Order and notice duly given by the Commission as provided by law, a public hearing was convened and held at 9:30 A.M., EST, in Room 907 State Office Building, Indianapolis, Indiana, with appearances as above set forth. Proof of mailing and publication of such notice were incorporated into the record and placed in the official files of the Commission. At the conclusion of the public hearing on that date, the hearing was adjourned and continued until 9:30 A.M., EST, on August 22, 1972, in Room 907 State Office Building, Indianapolis, Indiana. At such time, date and place, the continued public hearing was conducted, completed and closed subject to further order of the Commission.

The following witnesses appeared and testified on behalf of the Petitioner: Dr. Jerry D. Boswell, Chairman of the Board of Public Works of the City of Fort Wayne; Mr. John H. Hinman, Chief Electrical Engineer of the City of Fort Wayne Municipal Electric Utilities; and Mr. Bernard T. Perry, CPA, Utility Consultant employed by the City of Fort Wayne.

The exhibits offered by Petitioner and admitted into evidence were the following:

Petitioner's Exhibit No. JB-1	-	Prepared direct testimony of Dr. Jerry D. Boswell.
Petitioner's Exhibit No. JB-2	-	Rate Ordinance No. G-07-72 of the City of Fort Wayne containing the proposed rates as Exhibit A to the Ordinance.
Petitioner's Exhibit No. JB-4	-	Proofs of publication of the legal notice of the filing of the petition in this cause.
Petitioner's Exhibit No. JB-5	-	Newspaper article appearing in the News-Sentinel, Fort Wayne, Indiana, February 24, 1972.

Petitioner's Exhibit No. JH-1 - Prepared direct testimony of Mr. John H. Hinman.

Petitioner's Exhibit No. JH-2 - Schedule of estimated future plant extensions and replacements for the years 1972 through 1974.

Petitioner's Exhibit No. JH-4 - Prepared supplemental testimony of Mr. John H. Hinman and proposed fuel clause for the Petitioner.

Petitioner's Exhibit No. BP-1 - Prepared direct testimony of Mr. Bernard T. Perry.

Petitioner's Exhibit No. BP-2 - Accounting and rate study prepared by Mr. Bernard T. Perry.

The following exhibit was, by stipulation of the parties, admitted in evidence as late-filed exhibit:

Petitioner's Exhibit No. JB-6 - Amended Rate Ordinance No. G-07-72 of the City of Fort Wayne containing proposed fuel clause of the Petitioner.

Petitioner's Exhibit No. JB-3, the original petition filed herein, was offered in evidence but, upon objection by the Assistant Public Counselor, was denied admission. Petitioner's Exhibit No. JH-3, an amended proposed fuel clause, was withdrawn by the Petitioner.

The following witnesses appeared and testified on behalf of the Public: Mr. Robert W. Gausmann, Utility Engineer, Engineering Department of the Public Service Commission of Indiana; and Mr. Glen E. Courtney, Staff Accountant, Accounting Department of the Public Service Commission of Indiana.

The exhibits offered by the Public and admitted into evidence, without objection, were the following:

Public's Exhibit No. 1 - Prepared direct testimony of Mr. Robert W. Gausmann.

Public's Exhibit No. 1-A - Engineering Report prepared by the Engineering Department of the Public Service Commission of Indiana.

Public's Exhibit No. 2	-	Prepared direct testimony of Mr. Glen E. Courtney.
Public's Exhibit No. 2-A	-	Accounting Report prepared by the Accounting Department of the Public Service Commission of Indiana.
Public's Exhibit No. 2-B	-	Comparative rate study prepared by the Accounting Department of the Public Service Commission of Indiana.

The Commission, having heard and carefully considered all the evidence in this cause, including the testimony and exhibits, and being duly advised in the premises, now finds:

1. That due and proper legal notice of the filing of the verified petition in this cause was given and published by the Petitioner as required by law; due and proper legal notices of the prehearing conference and of the public hearings conducted in this cause were given and published by the Commission as required by law; and the Commission has jurisdiction of the parties and the subject matter of this cause.

2. That Petitioner, City of Fort Wayne, Indiana, is a city of the second class; and that said City owns and operates a municipal electric utility system supplying the City and inhabitants thereof all within Allen County, Indiana, with electricity for public, domestic, commercial and industrial uses; and that said system includes generating facilities, distribution facilities and other equipment and appurtenances. The service to all of Petitioner's customers is at retail and the Petitioner renders service in an area which is also served by the Indiana and Michigan Electric Company withwhom the Petitioner is in competition.

3. That Petitioner's electric utility system is properly, maintained and is in satisfactory physical condition in order to render adequate service to members of the general public. That the Petitioner has undertaken the construction of additional facilities to improve its facilities. That Petitioner has invested on the average in gross plant additions for the period 1970-71 and to March 31, 1972, less the cost of the purchase of a gas turbine the amount of $1,224,672.00, and that the reasonable annual requirement of funds for making extensions and replacements is $821,316.00.

4. That on March 31, 1972, the Petitioner's utility plant in service was $25,477,544.00; the net utility plant was $10,543,189.00.

5. That the Petitioner's payments to the Fort Wayne civil city and the Fort Wayne school city for taxes which would be paid on the utility property were it privately owned for the test year twelve months ended March 31, 1972, was $68,383.00; for the calendar year 1971 was $143,909.00; and for the calendar year 1970 was $363,225.00. That the Petitioner's taxable base is $11,632,998.00 including materials and supplies in the amount of $1,089,809.00 and an assessed valuation of $3,877,666.00. That based on a rate of $9.57 per $100 of assessed valuation, the annual requirement of funds to compensate Fort Wayne civil city and the Fort Wayne school city for taxes which would be paid on the utility property were it privately owned is $371,093.00.

6. That the annual requirement of funds to pay all the legal and other necessary expense incident to the operation of the utility including maintenance costs, operating charges, upkeep and including any taxes that may be assessed against the utility is $6,033,371.00.

7. That on March 31, 1972, the Petitioner had no outstanding bonds of any nature and no funds are required for the payment of interest, charges on bonds or other obligations or to provide a sinking fund for the liquidation of bonds or other evidences of indebtedness.

8. That on March 31, 1972, the Petitioner had on hand for working capital the sum of $195,128.00. A reasonable working capital for the Petitioner is an amount equal to 45 days disbursements or $754,171.00.

9. That based on a net investment in plant of $10,543,189.00 as found in Finding No. 4 herein, a reasonable profit to the Petitioner would be $353,289.00 and is sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service.

10. That the annual requirement of funds to pay all the legal and other necessary expenses incident to the operation of the utility including maintenance costs, operating charges, upkeep and any taxes that may be assessed against the utility as found in Finding No. 6 herein is $6,033,371.00; the working capital requirements as found in Finding No. 8 herein is $754,171.00; the reasonable annual requirements of funds for making extensions and replacements as found in Finding No. 3 herein is $821,316.00; that the annual requirement of funds sufficient to compensate the civil city of Fort Wayne and the Fort Wayne school city for taxes which would be paid on the utility property were it privately owned as found in Finding No. 5 herein is $371,093.00; that a reasonable profit on the Petitioner's investment sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service as found

in Finding No. 9 herein is $353,289.00; the total revenue requirements of the Petitioner is $8,333,240.00; the existing rates and charges for services rendered by the Petitioner are inadequate to provide for the foregoing requirements and are unreasonable and unjust.

11. That the Common Council of the City of Fort Wayne has adopted Ordinance No. G-16-72 providing for a new schedule of electric rates and charges which schedule is set forth in Petitioner's Exhibit No. JB-2 and JB-6 and is made a part hereof by reference; that the annual revenue to be derived from the schedule of electric rates and charges is estimated to be $8,333,240.00 which amount will be sufficient to provide the requirements herein above set forth in Finding No. 10; and that said new electric rates and charges are reasonable, just and nondiscriminatory.

IT IS THEREFORE ORDERED BY THE PUBLIC SERVICE COMMISSION OF INDIANA that the rates and charges to be collected from users of the electric utility system of Petitioner as set forth in Petitioner's Exhibits JB-2 and JB-6 which exhibits are incorporated herein by reference and made a part hereof are hereby approved.

IT IS FURTHER ORDERED that the Petitioner shall file with the Tariff Division of the Engineering Department of this Commission prior to placing in effect of the rates herein approved a tariff of the within approved rates, charges, rules and regulations appertaining thereto set out in accordance with the Commission's rules for filing utility tariffs. The said tariff when filed by Petitioner shall cancel all present and prior rates, charges, rules and regulations appertaining thereto concurrently.

IT IS FURTHER ORDERED that the Petitioner, City of Fort Wayne, shall within twenty (20) days from the date of this order pay into the Treasury of the State of Indiana, through the Secretary of this Commission, the following itemized charges in the sum of $2,294.80 as well as any additional costs which were or may be incurred in connection with this cause:

Accounting Services	$1,950.80
Engineering Services	189.50
Public Counselor	64.50
Legal Advertising	33.15
Reporting Services	56.85
Total Charges	$2,294.80

IT IS FURTHER ORDERED that this order shall be effective on and after the date of its approval; provided that no increase in rates approved herein may take effect until the foregoing charges are paid.

HILL, POWERS AND ALLEN CONCUR:
APPROVED: October 24, 1972

I hereby certify that the above is a true and correct copy of the order as approved.

Kendall E. Mathews
SECRETARY

CEIVED
OCT 24 1972
PUBLIC SERVICE COMMISSION
OF INDIANA
ENGINEERING DEPT.

RATE RA
(Residential)

Availability

Available to RESIDENTIAL customers located within the area served by the Municipal Utility for all domestic uses in single private dwelling units.

This rate is not available to clubs, fraternities, orphanages, or institutional homes; recognized rooming or boarding houses or tourist homes; nor to space in any apartment or other residential building primarily devoted to use for professional or other business purposes.

Character of Service

Single phase alternating current at a frequency of approximately 60 cycles per second and at voltages of approximately 120 volts, two wire or 120/240 volts three wire.

Service to equipment having highly fluctuating or intermittent characteristics will not be permitted under this rate. Customers having x-ray or welding machines can secure service for such equipment from the Utility under its applicable power rates.

Service hereunder is based upon the supply of service through a single delivery and metering point and at one voltage. Separate supply for the same customer at other points of consumption, or at different voltage, shall be separately metered and billed. This clause does not apply to installations made before March 1, 1946.

In the event service is supplied under this tariff to more than one dwelling unit in the same building, subject to single metering which combines the electricity consumed by the various units, the billing for such service will be computed by multiplying the KWH allowed in each step or block, of the rates exhibited hereafter, times the number of units served.

Rate

4.0¢ per kwh for the first 60 kwh used per month
2.5¢ per kwh for the next 120 kwh used per month
1.8¢ per kwh for all over 180 kwh used per month

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

RATE RA
(Residential)

Minimum Charge

The minimum charge under this rate shall be $2.00 per meter per month.

Payment Terms

All bills under this schedule shall be rendered monthly and shall be due and payable within twenty (20) days from the date of billing.

Water Heater Service

The standard approved type of electric water heater to be served under paragraph "Water Heater Service" shall consist of a permanently installed tank of not less than 30 gallons capacity meeting the requirements (except as to element sizes) of "Household Automatic Electric Storage-type Water Heaters" approved by American Standards Association (ASA) as in effect at the time of installation. The heater shall be equipped with thermostatically controlled heating elements totaling at least 1,000 watts. No single element shall exceed 5500 watts. If the total of the elements exceeds 5500 watts, the elements must be interlocked so that only one may operate at one time.

There shall be installed in connection with each heater such temperature and pressure protection equipment as may be specified by any governmental inspection service having jurisdiction.

Where a customer has installed and in regular use a standard approved electric water heater or heaters of not less than 30 gallons capacity, the last 400 kwhrs used in any month shall be billed at the rate of 1.2¢ per kwh.

These provisions, however, shall in no event apply to the first 180 kwhrs used in any month which will be billed in accordance with the "Rate" as set forth above.

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

Approved and Certified by:
BOARD OF PUBLIC WORKS

_______________, Chairman

Subscribed and sworn to before me this 19th day of Sept. 1972.

____
Notary Public

My commission expires
Oct [illegible] 1972

RATE CA
(General Service-Commercial)

Availability

Available to all COMMERCIAL and NON-RESIDENTIAL customers located in the area served by the Municipal Utility for commercial service including lighting, appliances, and small motors not exceeding 2 HP individual capacity and for combined commercial and power service when such combined service is furnished through a single metering installation.

Character of Service

Single or three phase alternating current at a frequency of approximately 60 cycles per second and at any standard voltage that the Utility has available at the location where service is requested. Only one standard voltage will be supplied.

Rate

4.0¢ per KWH for the first 100 KWH used per month
3.7¢ per KWH for the next 400 KWH used per month
3.1¢ per KWH for the next 2,000 KWH used per month
2.5¢ per KWH for the next 2,500 KWH used per month
1.8¢ per KWH for all over 5,000 KWH used per month

Minimum

The minimum monthly charge under this rate shall be $2.00.

Payment Terms

All bills under this schedule shall be rendered monthly and shall be due and payable within twenty (20) days from the date of billing.

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

ELECTRIC UTILITY
Fort Wayne, Indiana

RATE CA
(General Service-Commercial)

Fuel Clause

The energy charge under this rate will be adjusted to reflect the same fuel adjustment billed the Utility by its present supplier for power purchased during the previous calendar month, and in the event that the rates of the supplier are revised to a 33.00 cents base, an additional .0315 cents per kwh shall be charged.

Approved and Certified by:
BOARD OF PUBLIC WORKS

____________________, Chairman

Subscribed and sworn to before me this [illegible] day of [illegible], 1972.

____
Notary Public

My commission expires
October 13, 1972

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

RATE PA
(Commercial or Industrial Power)

Availability

Available to all COMMERCIAL and INDUSTRIAL customers located in the area served by the Municipal Utility for power service including motors, electric heating equipment, welders, x-ray equipment, and all miscellaneous power applications. This rate is not available for lighting service or for combined lighting and power service.

Character of Service

Single or three phase alternating current at a frequency of approximately 60 cycles per second and at any standard voltage that the Utility has available at the location where service is requested. Only one standard voltage will be supplied.

Rate

3.7¢ per KWH for the first	350 KWH	used per month
2.5¢ per KWH for the next	350 KWH	used per month
2.2¢ per KWH for the next	1,300 KWH	used per month
2.0¢ per KWH for the next	3,000 KWH	used per month
1.8¢ per KWH for all over	5,000 KWH	used per month

Minimum Monthly Charge

This tariff is subject to a minimum monthly bill of $2.00.

Payment Terms

All bills under this schedule shall be rendered monthly and shall be due and payable within twenty (20) days from the date of billing.

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

FORT WAYNE MUNICIPAL ELECTRIC UTILITY
Fort Wayne, Indiana

RATE PA
(Commercial or Industrial Power)

Fuel Clause

The energy charge under this rate will be adjusted to reflect the same fuel adjustment billed the Utility by its present supplier for power purchased during the previous calendar month, and in the event that the rates of the supplier are revised to a 33.00 cents base, an additional .0315 cents per kwh shall be charged.

Approved and Certified by:
BOARD OF PUBLIC WORKS

____________________, Chairman

Subscribed and sworn to before me this 19th day of [illegible] 1972.

____
Notary Public

My commission expires
October 13, [illegible]

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

RATE PB
(Demand Power)

Availability

Available upon request to all COMMERCIAL and INDUSTRIAL customers for lighting and/or power installations located within the area served by the Municipal Utility.

Character of Service

Alternating current, sixty cycle, single or three phase, at any standard voltage available in the location where service is requested, provided, however, that when more than one voltage is available, the selection of the voltage to be supplied shall be at the option of the Utility.

Rate

Monthly Maximum Load Charge
$1.94 per KVA for the first 50 KVA
1.66 per KVA for the next 50 KVA
1.38 per KVA for the next 100 KVA
1.11 per KVA for the next 300 KVA
.83 per KVA for the next 500 KVA
.55 per KVA for all over 1,000 KVA

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

Monthly Energy Charge
$.0152 per KWH for the first 100 Kwhrs per KVA of Monthly Maximum Load
.0130 per KWH for the next 100 Kwhrs per KVA of Monthly Maximum Load
.0108 per KWH for the next 100 Kwhrs per KVA of Monthly Maximum Load
.0036 per KWH for the next 100 Kwhrs per KVA of Monthly Maximum Load
.0075 per KWH for all over 400 Kwhrs per KVA of Monthly Maximum Load

Minimum Monthly Bill

The minimum monthly bill under this rate shall not be less than $221.00, which amount shall be subject to adjustments as determined under the Fuel Clause.

Payment Terms

All bills under this schedule shall be rendered monthly

Metering (continued)

At Utility's option service may be metered at secondary voltage in which case three per cent (3%) of the sum of the maximum load and energy charges including adjustment under the Fuel Clause shall be added to the bill computed under the above rates to adjust for losses in transformers.

Transformers

Delivery of energy to the customer will be at the primary supply voltage but, when required, Utility will furnish transformers at one location for transforming energy to one standard secondary voltage, or, when transformation is direct to utilization voltages, to one standard power and one standard lighting voltage. If transformation is desired to other than standard voltages, or to additional voltages, or at additional locations, equipment for such transformations shall be furnished by the customer.

Utility may, at its option, agree to furnish equipment for such additional transformations in which event customer shall pay each month an additional charge at the rate of $.06 per kva of capacity of such additional transformers.

When customer accepts delivery of energy at the primary supply voltage and furnishes all necessary control and transformation equipment, there shall be a deduction from the monthly bill at the rate of $.06 per kva of monthly maximum load.

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

Approved and Certified by:
BOARD OF PUBLIC WORKS

________________, Chairman

Subscribed and sworn to before me this [illegible] day of [illegible] 1972.

____
Notary Public

My commission [illegible]
October 13, [illegible]

RATE RB
(Rate for Water Heating)

This tariff is in process of elimination and is withdrawn except for the present installations of customers receiving service hereunder at premises served prior to March 1, 1972 and will not be applicable to additional load. If service hereunder is discontinued at the customer's option, it shall not again be available.

Rate RB Off-Peak Water Heating Rate

The following rates apply within the area served by the Municipal Utility.

Availability

This rate available for all customers for "Off-Peak" Water Heating in storage tanks of not less than 30 gallons capacity where such apparatus conforms to the Utility's standard specification for water heaters.

Each installation shall be governed by a controlling device owned and sealed by the Utility so that the "on" period of such service will conform with the "Off-Peak" condition of the Utility's system.

The Utility reserves the right to change the time switch setting from time to time as the "Off-Peak" condition of the Utility's system changes. The "on" period in no case shall be less than 14 hours per day.

The consumption of heating elements controlled by the controlling device only shall be measured on a separate meter and all other service shall be excluded. This controlling device shall be placed in a location provided by the customer and subject to the approval of the Utility.

The consumption of heating elements not governed by the controlling device shall be measured by a meter which measures the regular lighting service and shall be billed at the regular lighting rate.

ISSUED PURSUANT TO
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TARIFF DEPT.

Rate

Demand Charge

$15.00 per year per kilowatt of total capacity connected in excess of five (5) kilowatts, payable monthly.

RATE RB
(Rate for Water Heating)

Rate (continued)

Energy Charge

First 25 KWH	used per month	$.025 per KWH
All Over 25 KWH	used per month	$.012 per KWH

Minimum Charge

$2.00 per meter per month.

Payment Terms

All bills under this schedule shall be rendered monthly and shall be due and payable within twenty (20) days from the date of billing.

Reconnection Charge

In case a customer is disconnected for non-payment, a reconnection charge of $4.00 will be made. This charge together with unpaid bills to be paid before service is reconnected.

ISSUED PURSUANT TO ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION OF INDIANA TARIFF DEPT.

Approved and Certified by:
BOARD OF PUBLIC WORKS

______________________, Chairman

Subscribed and sworn to before me this [illegible] day of [illegible] 1972.

____
Notary Public

My commission expires
October 16, 1972

RATE RC
(All-Electric Homes)

Availability

Available on an optional basis for year round domestic service through one meter to individual residential customers whose principal energy requirements for lighting, the operation of all major appliances including air conditioning equipment, water heating, and heating of all dwelling space in the home are furnished by electric service delivered by the Utility.

Rate

For the first	200 kwhrs used per month		3.4¢ per kwh
For the next	600 kwhrs used in the same month		1.8¢ per kwh
For the next	1,200 kwhrs used in the same month		1.4¢ per kwh
For all over	2,000 kwhrs used in the same month		1.2¢ per kwh

Water Heater Service

Where a customer has installed and in regular use an electric water heater or heaters meeting the requirements set forth below, the last 400 kwhrs used in any month shall be billed at the rate of 1.2 cent per kwh provided that the customer first uses at least 200 kwhrs billed in accordance with the rate set forth above. The standard approved type of electric water heater shall consist of a permanently installed tank of not less than 30 gallons capacity meeting the requirements (except as to element sizes) of "Household Automatic Electric Storage-type Water Heaters" approved by American Standards Association (ASA) as in effect at the time of installation. The heater shall be equipped with thermostatically controlled heating elements totaling at least 1000 watts. No single element shall exceed 5500 watts. If the total of the elements exceeds 5500 watts, the elements must be interlocked so that only one may operate at one time.

ISSUED PURSUANT TO
ORDER NUMBER
32874
OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

RATE RC
(All-Electric Homes)

Fuel Clause

The energy charge under this rate will be adjusted to reflect the same fuel adjustment billed the Utility by its present supplier for power purchased during the previous calendar month, and in the event that the rates of the supplier are revised to a 33.00 cents base, an additional .0315 cents per kwh shall be charged.

Minimum Charge

This tariff is subject to a minimum monthly charge of $6.80 per customer and adjustments as determined under "Fuel Clause".

Payment Terms

All bills under this schedule shall be rendered monthly and shall be due and payable within twenty (20) days from the date of billing.

Term of Contract

Annual.

Special Terms and Conditions

See General Rules and Regulations Applicable to Electric Service.

This tariff is available for single-phase service only. Where 3-phase power service is required and/or where motors or heating equipment are used for commercial or industrial purposes, the applicable general service or power tariff will apply to such power service.

ISSUED PURSUANT TO ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION OF INDIANA TARIFF DEPT.

Approved and Certified by:
BOARD OF PUBLIC WORKS

______________________, Chairman

Subscribed and sworn to before me this 19th day of September 1972

____
Notary Public

My commission expires
October 16, 1973

FORT WAYNE MUNICIPAL ELECTRIC UTILITY
Fort Wayne, Indiana

RATE CB
(Electric Heating Schools)

Availability

Available to primary and secondary schools and to colleges and university buildings, and additions thereto, where the entire electrical requirements are furnished by the Utility, as set forth below in RATE sections (1) and (2).

Rate

(1) Primary and secondary schools where electrical requirements include electric heating for all of or an addition to the school.

Kwhrs per month equal to 500 multiplied by the number of classrooms in the entire school.......... 2.9¢ per kwh

Balance of kwhrs.......................... 1.2¢ per kwh

(2) Separately metered primary and secondary schools, college and university buildings and separately metered additions to existing school buildings, where principal energy requirements for the building or addition, including all lighting, heating, cooling (if any), water heating and cooking (if any) and power, are provided by electrical energy, all kwhrs.................................. 1.2¢ per kwh

Minimum Charge

$14.10 per month.

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

Fuel Clause

The energy charge under this rate will be adjusted to reflect the same fuel adjustment billed the Utility by its present supplier for power purchased during the previous calendar month, and in the event that the rates of the supplier are revised to a 33.00 cents base, an additional .0315 cents per kwh shall be charged.

Definition of Classroom

The term "Classroom", for the purpose of determining billing under this tariff, shall be defined as any room used regularly for the instruction of pupils, including but not limited to general classrooms, industrial shops, domestic science rooms, music rooms, kindergartens, and laboratories.

WAYNE MUNICIPAL ELECTRICAL UTILITY
Fort Wayne, Indiana

RATE CB
(Electric Heating Schools)

Payment

Bills are due and payable at the offices of the Utility within 15 days of the mailing date.

Term of Contract

Minimum one (1) year.

Special Terms and Conditions

This tariff shall not apply to individual residences.

Customer may elect to receive service for any individual building of a school complex under the terms of this tariff.

Customer shall furnish Utility upon request information necessary to establish the number of classrooms to be used for billing purposes hereunder.

Nothing in this tariff or in the Utility's Terms and Conditions of Service shall be construed to prohibit the use of a form of energy other than electric energy for instruction and/or training and/or demonstration purposes.

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

Approved and Certified by:
BOARD OF PUBLIC WORKS

________________________, Chairman

Subscribed and sworn to before me this 19th day of [illegible] 1972.

____
Notary Public

RATE OL
(Outdoor Lighting)

Availability

Available for outdoor lighting to all customers located within the area served by the Municipal Utility in close proximity to existing power supply of the Utility. If neighbors or adjoining property owners sustain a justifiable complaint against the luminaire at the location requested by the customer, the Utility reserves the right to refuse such installation.

Rate

For each luminaire (rated and described below) with upsweep arm, controlled by photo-electric relay, and where service is supplied from an existing pole and secondary facilities of the Utility.

Incandescent:

100 Watt Incandescent	$1.20 per month
92 Watt (1000 Lumen) Incandescent	$1.20 per month
189 Watt (2500 Lumen) Incandescent	$2.40 per month
405 Watt (6000 Lumen) Incandescent	$4.65 per month

The above fixtures with 4' or 6' mast arms.
The above fixtures with 12' or 16' mast arms will be $0.25 extra per lamp per month.

Mercury (preferred fixtures):

100 Watt (3850 Lumen Mercury	$3.60 per month
175 Watt (7000 Lumen) Mercury	$4.60 per month
400 Watt (20000 Lumen) Mercury	$6.65 per month

The foregoing rate is applicable to fixtures with 4' or 6' mast arms.
Fixtures with 12' or 16' mast arms will be charged an additional $0.25 per lamp per month.

Fluorescent:

2 Tube 250 Watt (12000 Lumen) Fluorescent	$5.70 per month
4 Tube 500 Watt (24000 Lumen) Fluorescent	$7.20 per month

The foregoing rate is applicable to fixtures with 6' mast arms.

ISSUED PURSUANT TO ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION OF INDIANA TARIFF DEPT.

RATE OL
(Outdoor Lighting)

Rate (continued)

Flood Lights:

400 Watt (20000 Lumen) Mercury	$ 7.80 per month
1,000 Watt (55000 Lumen) Mercury	$13.50 per month
1,500 Watt (33000 Lumen) Quartz Incandescent	$14.40 per month

The foregoing rate is applicable to fixtures mounted on pole or on short bracket.

Fixtures having luminary use of 100 Watt, 1000 Lumen and 2500 Lumen are bare bulb fixtures with no enclosing glass refractor but with a radial-wave reflector as now commonly installed in alleys in Fort Wayne.

Other fixtures provided for in the foregoing rate schedules, except for the flood lights, are fixtures which are enclosed type fixtures in which the lamp is enclosed in a plastic or glass refractor and reflector.

In the event the Utility has to install other new facilities, such as poles, crossarms, overhead and underground wires and associated material, for the purpose of serving the luminaire as described above, the customer will pay the installation cost of such new facilities extending from the nearest or most suitable pole, on which the Utility has existing secondary facilities, to the point designated by the customer for the installation of the said luminaire, or in lieu of such payment, elect to pay the following additional rate:

For each wood pole	$0.50 per pole per month
For each span of secondary or part thereof	$0.35 per span per month

Payment

The monthly charges provided for herein will be added to the customer's regular monthly bill as a fixed charge, with the [illegible] charge for the first and last month the luminaire is in operation during said period.

ISSUED PURSUANT TO
ORDER NUMBER
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OF INDIANA
TARIFF DEPT.

Removal

If, for any reason, the customer requests the luminaire be removed within 18 months after the date of installation, the Utility reserves the right to require the customer pay the difference between the labor cost of the original installation and the sum of the monthly fixed charges paid by the customer.

yne, Indiana

RATE OL
(Outdoor Lighting)

Hours Of Lighting and Maintenance

All lamps in the luminaires shall burn from one-half hour after sunset until one-half hour before sunrise, every night and all night, or approximately 4,320 hours per annum.

Upon notification by the customer to the Utility of a lamp or luminaire outage, the Utility will relamp, repair or replace the faulty lamp or luminaire within forty-eight hours after notification; but only during the regular Utility five-day, 8-hour per day work week with the said 48 hour period after notification not to include Saturdays, Sundays, holidays, and "inclement" weather days, as described by the Utility I.B.E.W. Union Agreement.

Automatic Yard Lights

In addition to the lighting provided for above, the Utility will provide a 75 watt Mercury yard light, photo-controlled with a convenience outlet - installed with not to exceed 30' of underground cable - for a total initial payment price of $128.00 or for $4.20 per month payable for a 3 year period. After cash payment in full at installation or following term payments as herein provided, the fixture shall become the property of the customer.

ISSUED PURSUANT TO
ORDER NUMBER
32874 OCT 24 '72
PUBLIC SERVICE COMMISSION
OF INDIANA
TARIFF DEPT.

Approved and Certified by:
BOARD OF PUBLIC WORKS

Chairman

Subscribed and sworn to before me this 19th day of [illegible] 1972.

~~Notary~~ Notary Public

WO# 82338

ENTERED FOR TAXATION
DEC 26 1972
Dorothy E Raver
AUDITOR OF ALLEN COUNTY

72- 28567

SEWER EASEMENT RESOLUTION NO. 116-1972

(TEMPORARY & PERMANENT)

For the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Richardville Reserve (Winchester Heights Addition, Section "A" and the Southwest ¼, Section 35, Township 30 North, Range 12 East), bounded by Winchester Road on the East, Dunkelberg Road on the South, and Wyss Drive on the West.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a temporary and permanent sewer easement along and across a portion of Richardville Reserve (Winchester Heights Addition, Section "A" and the Southwest ¼, Section 35, Township 30 North, Range 12 East), bounded by Winchester Road on the East ,Dunkelberg Road on the South, and Wyss Drive on the West, more particularly described as follows:

PERMANENT EASEMENT

An easement 15 feet uniform in width on a centerline more particularly described as:

(A) Commencing at the Southwest corner of Winchester Heights Addition, Section "A"; thence on an assumed bearing of North 90° 00' West a distance of 28 feet; thence, North 00° 00' West a distance of 91.2 feet; thence, North 33° 30' West a distance of 113.2 ± feet; thence, a distance of 369.9 feet along a 265 foot radius curve to the right; thence, North 46° 30' East a distance of 370 ± feet to the point of beginning, said point located on the West property line of Lot Numbered 8 in Winchester Heights Addition, Section "A" and 200.05 feet South of the Northwest corner of said lot; thence, North 46° 30' East a distance of 130 ± feet terminating at a point located on the East property line of said Lot Numbered 8 and 112.72 feet South of the Northeast corner of Lot Numbered 8.

All as shown on attached drawing.

(B) Also, an easement 15 feet uniform in width on a centerline more particularly described as commencing at the Southwest corner of Winchester Heights Addition, Section "A"; thence, on an assumed bearing of North 90° 00' West a distance of 28 feet; thence, North 00° 00' West a distance of 91.2 ± feet; thence, North 33° 30' West a distance of 113.2 ± feet; thence, a distance of 369.9 feet along a 265 foot radius curve to the right; thence, North 46° 30' East a distance of 500 ± feet to the point of beginning, said point located on the West property line of Lot Numbered 7 in Winchester Heights Addition, Section "A" and 112.72 feet South of the Northwest corner of said lot; thence, North 46° 30' East a distance of 105 ± feet terminating at a point located on the East property line of said Lot Numbered 7 and 43.5 feet South of the Northeast corner of Lot Numbered 7.

1972 DEC 26 PM 2 57
Irene ... Luetke
ALLEN COUNTY RECORDER

All as shown on attached drawing.

(C) Also, an easement 15 feet uniform in width on a centerline more particularly described as commencing at the Southwest corner of Winchester Heights Addition, Section "A"; thence, on an assumed bearing of North 90° 00' West a distance of 28 feet; thence, North 00° 00' West a distance of 91.2 feet; thence, North 33° 30' West a distance of 113.2 ± feet; thence, a distance of 369.9 feet along a 265 foot radius curve to the right; thence, North 46° 30' East a distance of 605 ± feet to the point of beginning, said point located on the West property line of Lot Numbered 6 in Winchester Heights Addition, Section "A" and 43.5 feet South of the Northwest corner of said lot; thence, North 46° 30' East a distance of 60 ± feet terminating at a point located on the North property line of said Lot Numbered 6 and 50.85 feet East of the Northwest corner of of Lot Numbered 6.

All as shown on attached drawing.

(D) Also, an easement 15 feet uniform in width on a centerline more particularly described as commencing at the Southwest corner of Winchester Heights Addition, Section "A"; thence, on an assumed bearing of North 90° 00' West a distance of 28 feet; thence, North 00° 00' West a distance of 91.2 ± feet; thence, North 33° 30' West a distance of 113.2 ± feet; thence, a distance of 369.9 feet along a 265 foot radius curve to the right; thence, North 46° 30' East a distance of 759 feet to the point of beginning, said point located on the South property line of Lot Numbered 15

Map

9762

8.50

in Winchester Heights Addition, Section "A" and 60 feet East of the Southwest corner of said lot; thence, North 46° 30' East a distance of 95 feet; thence, North 18° 19' East a distance of 105.3 feet to a point located on the South property line of Lot Numbered 16 in said addition and 209 feet East of the Southwest corner of said lot; thence, continuing North 18° 19' East a distance of 158.9 feet to a point located on the South property line of Lot Numbered 17 in said addition and 303.6 feet East of the Southwest corner of said lot; thence, continuing North 18° 19' East a distance of 95.9 feet; thence, a distance of 247.4 feet along a 265 foot radius curve to the right, terminating at a point located on the East property line of Lot Numbered 18 in said addition and 65 feet North of the Southeast corner of said lot.

All as shown on attached drawing.

TEMPORARY EASEMENT

An easement 20 feet uniform in width lying immediately adjacent to the South and East of the above described permanent easement in Paragraph (A).

Also, an easement 20 feet uniform in width lying immediately adjacent to the South and East of the above described permanent easement in Paragraph (B).

Also, an easement 20 feet uniform in width lying immediately adjacent to the South and East of the above described permanent easement in Paragraph (C).

Also, an easement 20 feet uniform in width lying immediately adjacent to the South and East of the above described permanent easement in Paragraph (D).

All as shown on the attached drawing.

The temporary easement to expire one (1) year from the date of execution.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof.

All streets, lots and land affected by the above described condemnation are situated in the Richardville Reserve (Winchester Heights Addition, Section "A" and the Southwest ¼, Section 35, Township 30 North, Range 12 East).

Adopted this 24th day of October, 1972.

Ronald L Bonar

Board of Public Works

Attest:

Clerk

Reference: Pheasant Run Off-Site, Extension from the St. Mary's Sanitary Interceptor Sewer

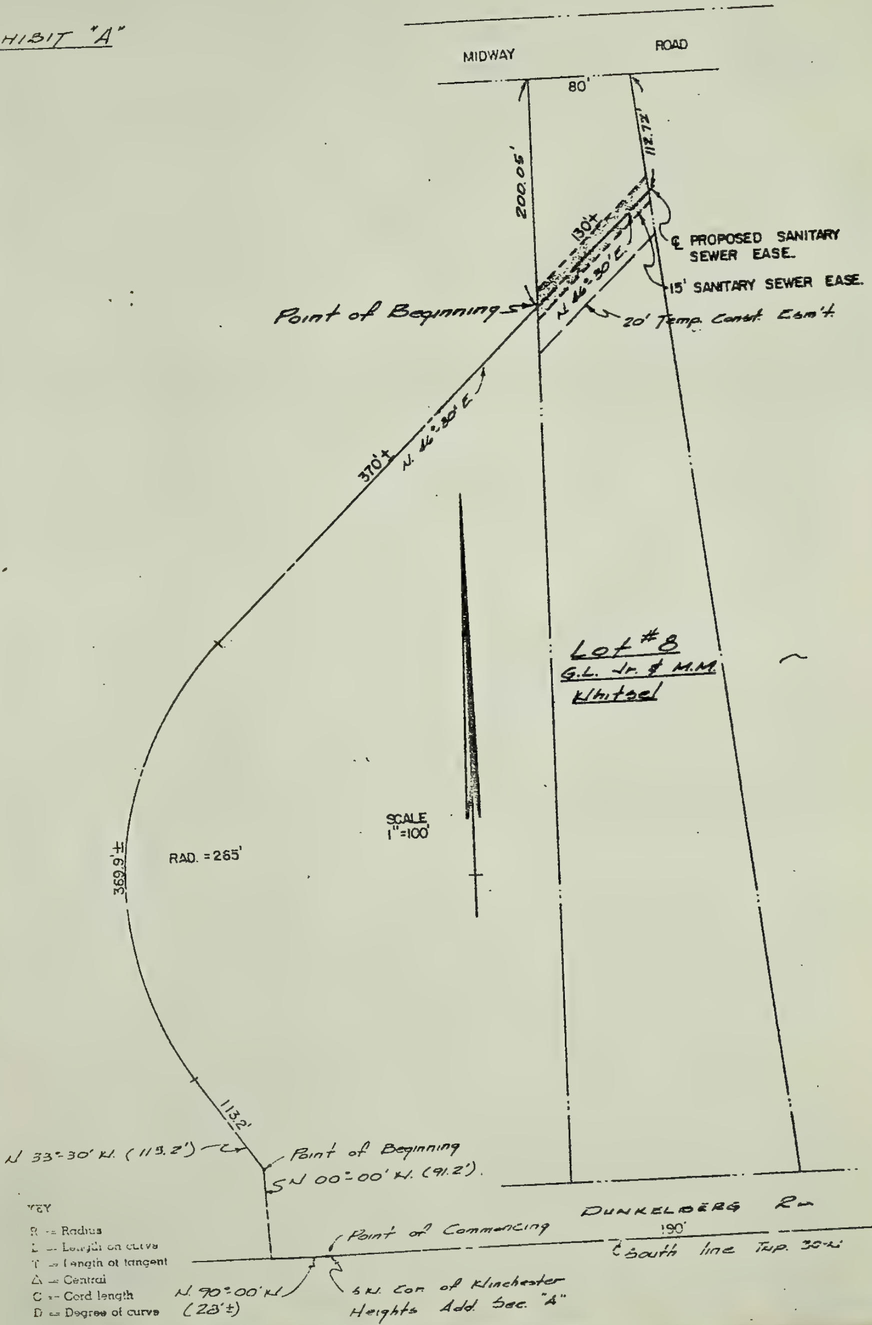
Prepared by Philip R. Boller.

KEITH E. MOODY

REGISTERED PROFESSIONAL CIVIL ENGINEER NO. 11209 INDIANA
REGISTERED LAND SURVEYOR NO. 11836 INDIANA
FORT WAYNE, INDIANA

The undersigned Land Surveyor and Civil Engineer, registered as provided by an act of the 79th General Assembly of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, in conformity with the plat and deed record thereof in the office of the Recorder of Allen County, Indiana. The description of the real estate is as follows, to wit: No encroachment existed, except as noted.

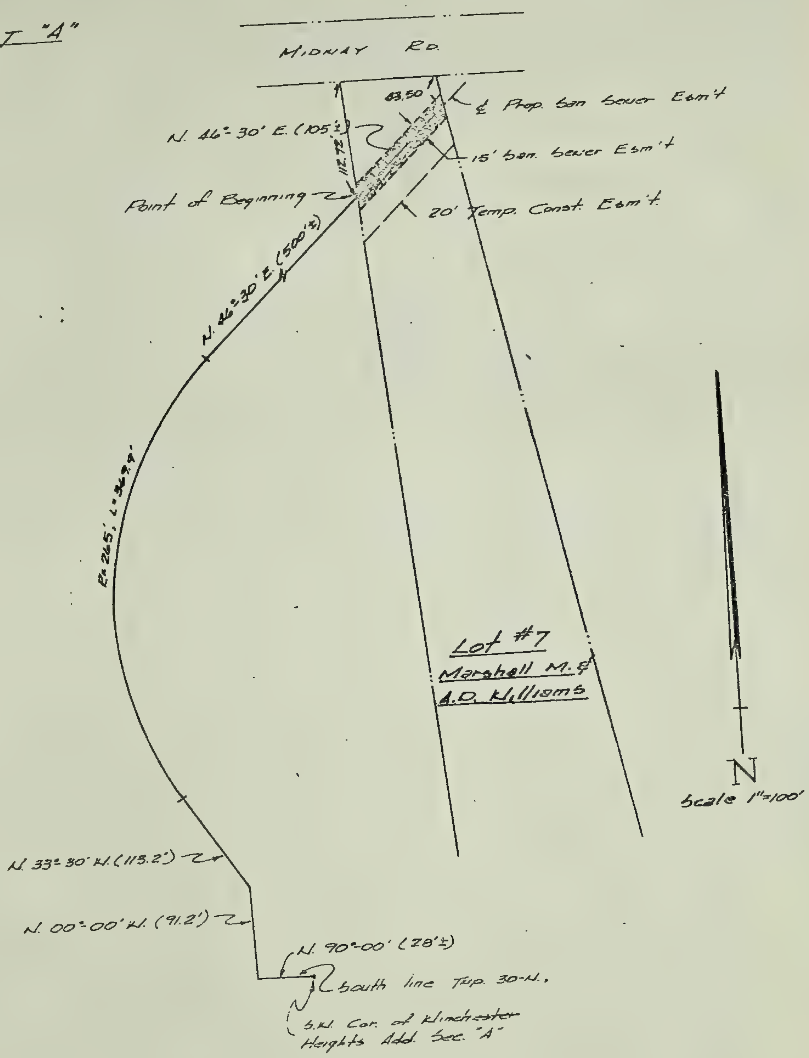
EXHIBIT "A"


MIDWAY
ROAD
80'
200.05'
112.72'
130'±
N. 46°30' E.
℄ PROPOSED SANITARY SEWER EASE.
15' SANITARY SEWER EASE.
Point of Beginning
20' Temp. Const. Esm't.
370'±
N. 46°30' E.
Lot #8
G.L. Jr. & M.M. Whitsel
SCALE 1"=100'
RAD. = 265'
369.9'±
113.2'
N 33°-30' W. (113.2')
Point of Beginning
N 00°-00' W. (91.2').
DUNKELBERG Rd
190'
Point of Commencing
℄ South line Twp. 30-N
N. 90°-00' W. (28'±)
SW. Cor. of Winchester Heights Add. Sec. "A"
KEY
R — Radius
L — Length on curve
T — Length of tangent
Δ — Central
C — Cord length
D — Degree of curve

KEITH E. MOODY
REGISTERED PROFESSIONAL CIVIL ENGINEER NO. 11208 INDIANA
REGISTERED LAND SURVEYOR NO. 11834 INDIANA
FORT WAYNE, INDIANA

The undersigned Land Surveyor and Civil Engineer, registered as provided by an act of the 79th General Assembly of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, in conformity with the plat and deed record thereof in the office of the Recorder of Allen County, Indiana. No encroachment existed, except as noted. The description of the real estate is as follows, to wit:

EXHIBIT "A"


MIDWAY RD.
43.50'
℄ Prop. San Sewer Esm't
N. 46°-30' E. (105'±)
112.72'
15' San. Sewer Esm't
Point of Beginning
20' Temp. Const. Esm't
N. 46°-30' E. (500'±)
R=265', L=369.9'
Lot #7
Marshall M. & A.D. Williams
N
Scale 1"=100'
N. 33°-30' W. (113.2')
N. 00°-00' W. (91.2')
N. 90°-00' (28'±)
South line Twp. 30-N.
S.W. Cor. of Winchester Heights Add. Sec. "A"

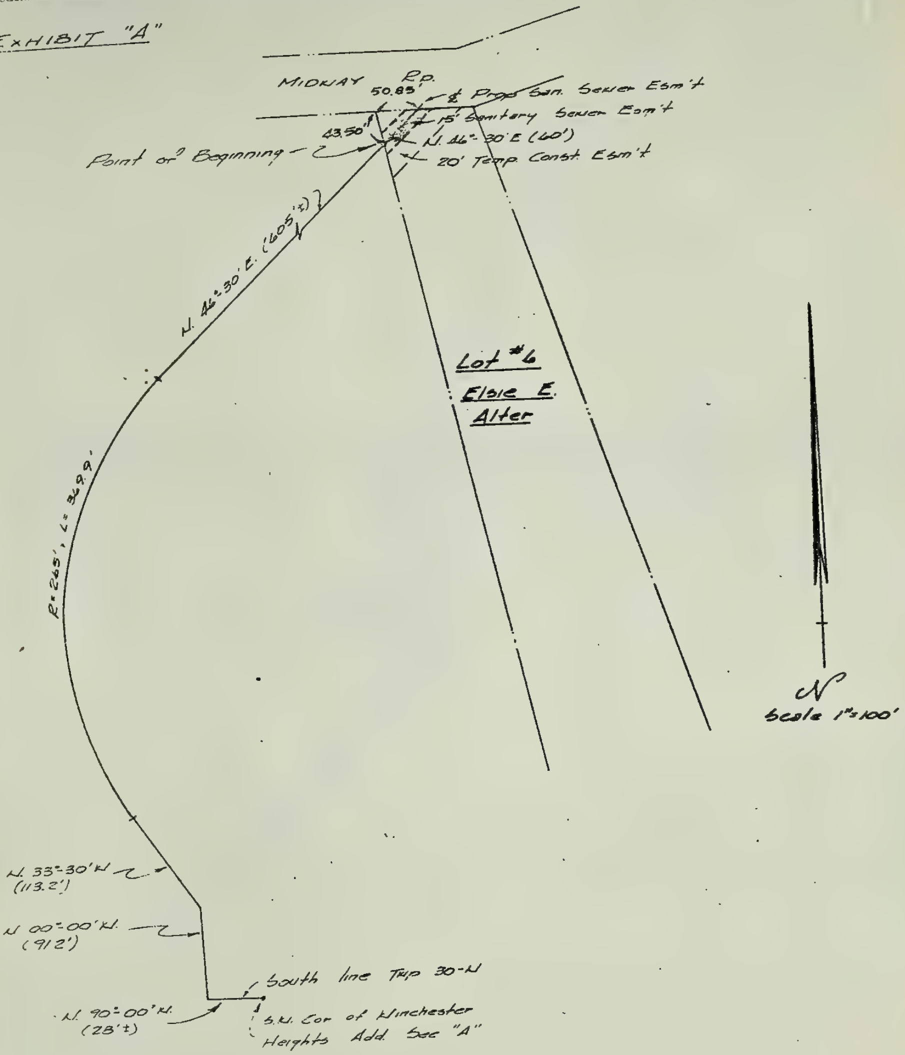
KEY

R — Radius
L — Length on curve
T — Length of tangent
Δ — Central
C — Cord length
D — Degree of curve

KEITH E. MOODY
REGISTERED PROFESSIONAL CIVIL ENGINEER NO. 11209 INDIANA
REGISTERED LAND SURVEYOR NO. 11836 INDIANA
FORT WAYNE, INDIANA

The undersigned Land Surveyor and Civil Engineer, registered as provided by an act of the 79th General Assembly of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, in conformity with the plat and deed record thereof in the office of the Recorder of Allen County, Indiana. No encroachment existed, except as noted. The description of the real estate is as follows, to wit:

EXHIBIT "A"


MIDWAY Rd.
50.85'
℄ Prop San. Sewer Esm't
15' Sanitary Sewer Esm't
43.50'
N. 46°-30' E (60')
Point of Beginning
20' Temp. Const. Esm't
N. 46°-30' E. (605'±)
Lot #6
Elsie E. Alter
R=265', L=369.9'
N
Scale 1"=100'
N. 33°-30' W. (113.2')
N 00°-00' W. (91.2')
N. 90°-00' W. (28'±)
South line Twp 30-N
S.W. Cor. of Winchester Heights Add. Sec "A"

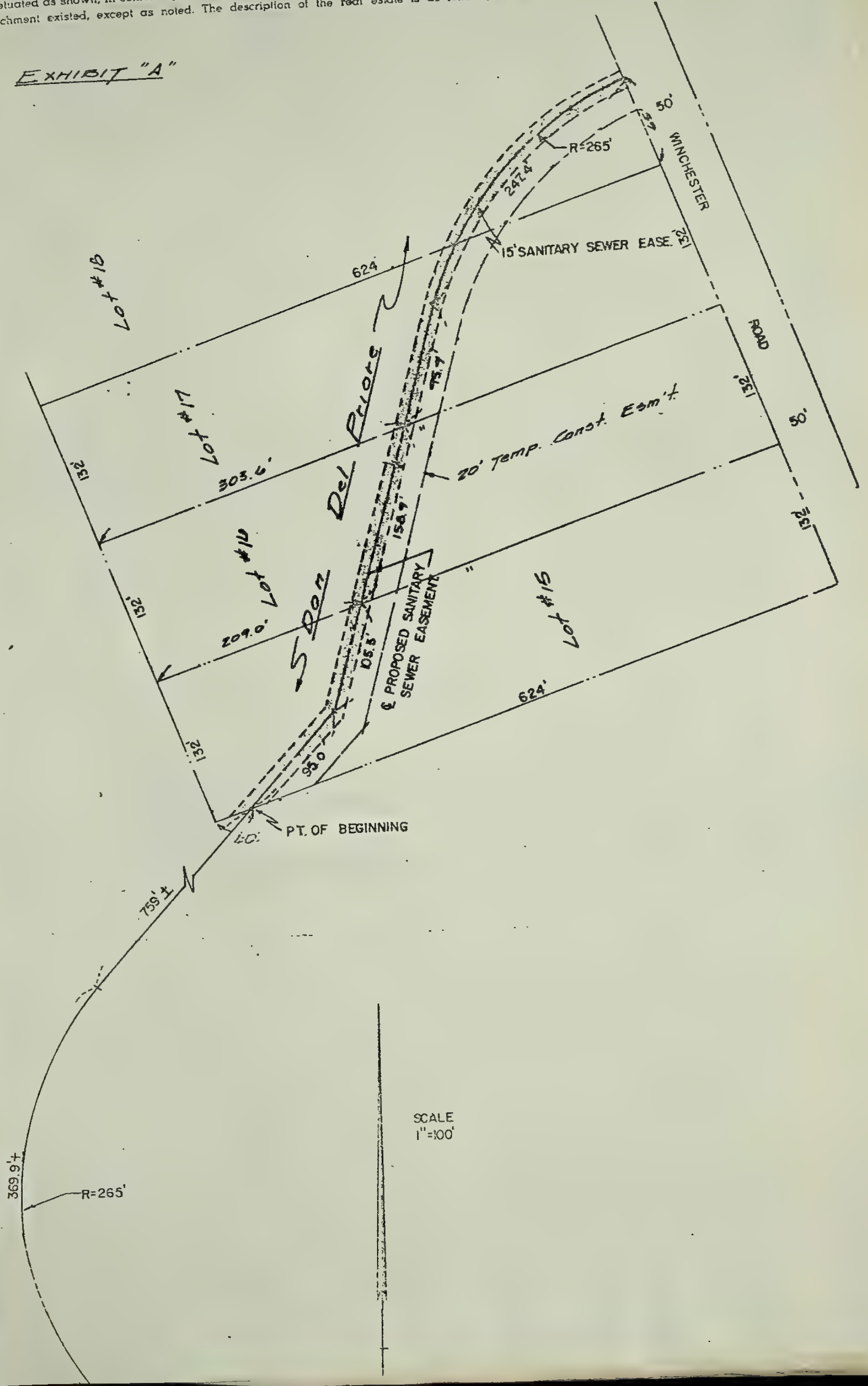
KEY

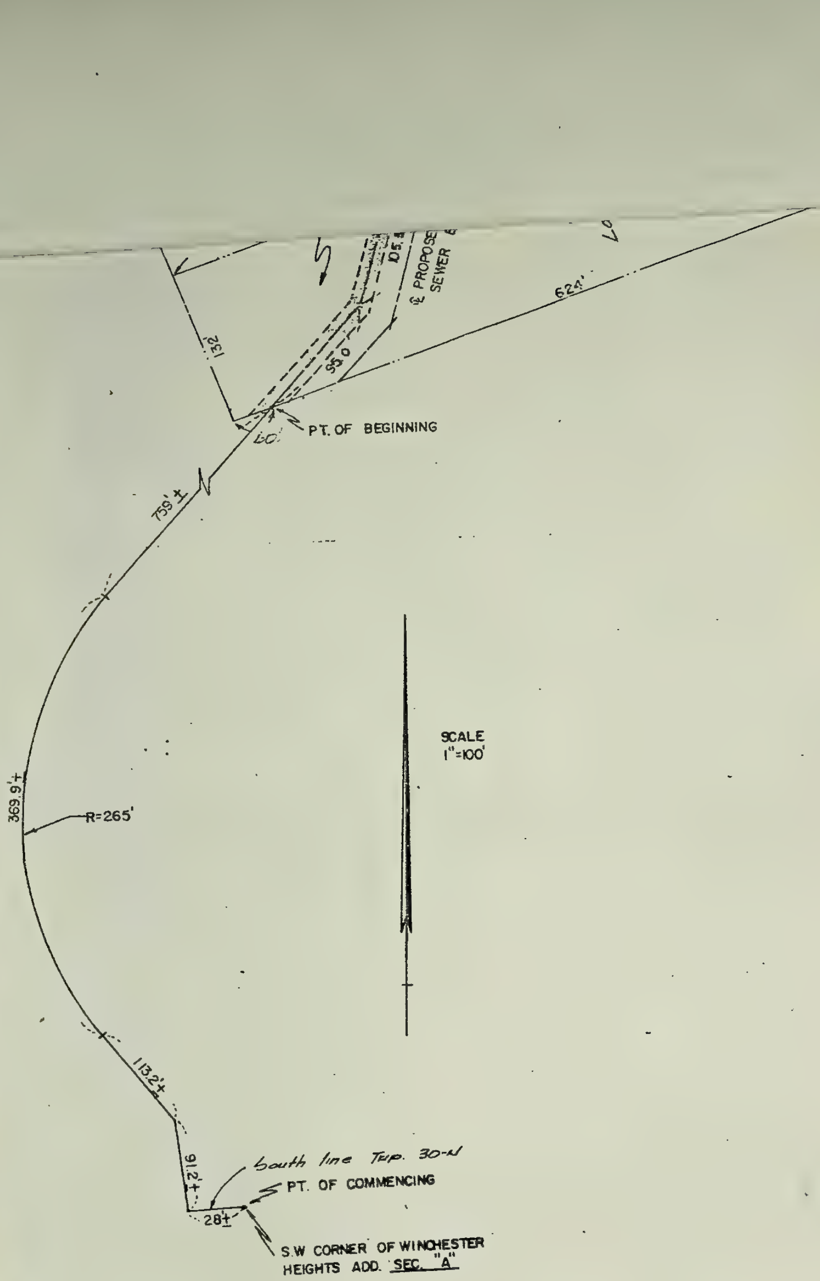
R = Radius
L = Length on curve
t = Length of tangent
Δ = Central
C = Cord length
D = Degree of curve

KEITH E. MOODY CIVIL ENGINEER NO. 11209 INDIANA
REGISTERED LAND SURVEYOR NO. 11933 INDIANA
FORT WAYNE, INDIANA

The undersigned Land Surveyor and Civil Engineer, registered as provided by an act of the 79th General Assembly of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, in conformity with the plat and deed record thereof in the office of the Recorder of ...Allen......... County, Indiana. No encroachment existed, except as noted. The description of the real estate is as follows, to wit:

EXHIBIT "A"


50'
R=265'
247.4'
WINCHESTER
15' SANITARY SEWER EASE.
132'
624
Lot #18
ROAD
S Don Del Pelore
132'
75.7
Lot #17
50'
20' Temp. Const. Esm't.
132
303.6'
154.9'
132'
Lot #16
℄ PROPOSED SANITARY SEWER EASEMENT
Lot #15
132'
209.0'
105.8'
624'
132'
95.0'
PT. OF BEGINNING
E.C.
759' ±
SCALE
1"=100'
369.9' ±
R=265'


132
105.8
℄ PROPOSED SEWER
624'
95.0
PT. OF BEGINNING
60'
759'±
369.9'±
R=265'
SCALE 1"=100'
132'±
91.2'±
South line Twp. 30-N
PT. OF COMMENCING
28±
S.W CORNER OF WINCHESTER HEIGHTS ADD. SEC. "A"

KEY

R = Radius
L = Length on curve
T = Length of tangent
Δ = Central
C = Cord length
D = Degree of curve

BOW File Copy 73 01822

115-72

Irene Swihart
ALLEN COUNTY RECORDER

1973 JAN 23 AM 10 27

SEWER EASEMENT RESOLUTION

NO. 115-1972

(PERMANENT & TEMPORARY)

DULY ENTERED FOR TAXATION
JAN 23 1973
Dorothy E Raver
AUDITOR OF ALLEN COUNTY

For the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a space bounded on the North by Louisedale Drive on the East by the East line of Lot #74 of Trixholme Addition, Section "D", on the South by the North boundary line of Franke Park and on the West by the West line of the Northeast quarter of Section 27, Township 31 North, Range 12 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for sewer easement purposes across, through and under a portion of land bounded on North by Louisedale Drive, on the East by the East line of Lot #74 of Trixholme Addition, Section "D", on the South by the North boundary line of Franke Park and on the West by the West line of the Northeast quarter of Section 27, Township 31 North, Range 12 East in Washington Township, more particularly described as follows:

PERMANENT EASEMENT

1. The South 14 feet of the East 252.1 feet of space now or formerly owned by Indiana Franklin Realty Company, Inc., as described by Deed Instrument #72-14223, said easement lying immediately North of adjacent and parallel to the North property line of Franke Park.

2. The South 14 feet of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33, said easement lying immediately North of adjacent and parallel to the North property line of Franke Park.

3. An easement 14 feet in uniform width lying 7 feet either side of the following described centerline on space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33, beginning at a point 126.75 feet East of the Southwest corner and on the South line of space as described in Deed Record Book 694, Page 432-33; thence, turning North an angle of 90 degrees 00 minutes from said South property line and projecting a distance of and terminating at 160.6 ± feet.

4. An easement 14 feet in uniform width lying 7 feet either side of the following described centerline on space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33, beginning at a point 446.75 feet East of the Southwest corner and on the South line of space as described in Deed Record Book 694, Page 432-33; thence, turning North an angle of 90 degrees 00 minutes from said South property line and projecting a distance of and terminating at 160.6 ± feet.

5. An easement 14 feet in uniform width lying 7 feet either side of the following described centerline on space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33, beginning at a point 776.75 feet East of the Southwest corner and on the South line of space as described in Deed Record Book 694, Page 432-33; thence, turning North an angle of 90 degrees 00 minutes from said South property line and projecting a distance of and terminating at 160.6 ± feet.

6. An easement 7 feet in uniform width, being the East 7 feet of Lot #75 in Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

7. An easement 7 feet in uniform width, being the West 7 feet of Lot #74 in Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

TEMPORARY EASEMENT

1. An easement 20 feet in uniform width lying immediately North, adjacent and parallel to said permanent easement described in paragraph number two above.

Instrument F 10567

450

Will Call - Pallone W.P.C.

2. An easement 20 feet and 10 feet in uniform width lying immediately West and East respectively of said permanent easement described in paragraphs 3, 4 and 5 above.

3. An easement 20 feet in uniform width being the South 20 feet of Lots 74,75,76,77, and 78 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

4. The West 10 feet of the East 17 feet of Lot #75 in Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

5. The East 20 feet of the West 27 feet of Lot #74 in Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

All according to the method and manner provided for in an Act of General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments, if deferred, are to be paid in 10 equal installments with interest at the rate of six percent (6%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana, be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such monies as shall have been actually received by the City from assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bond therefore shall be provided for in said above entitled act and all amendments thereto and supplemental thereof.

All land affected lies within part of the Northeast quarter of Section 27, Township 31 North, Range 12 East.

This temporary sewer construction easement shall expire one year from the date of adoption.

ADOPTED THIS 24th DAY OF October, 1972.

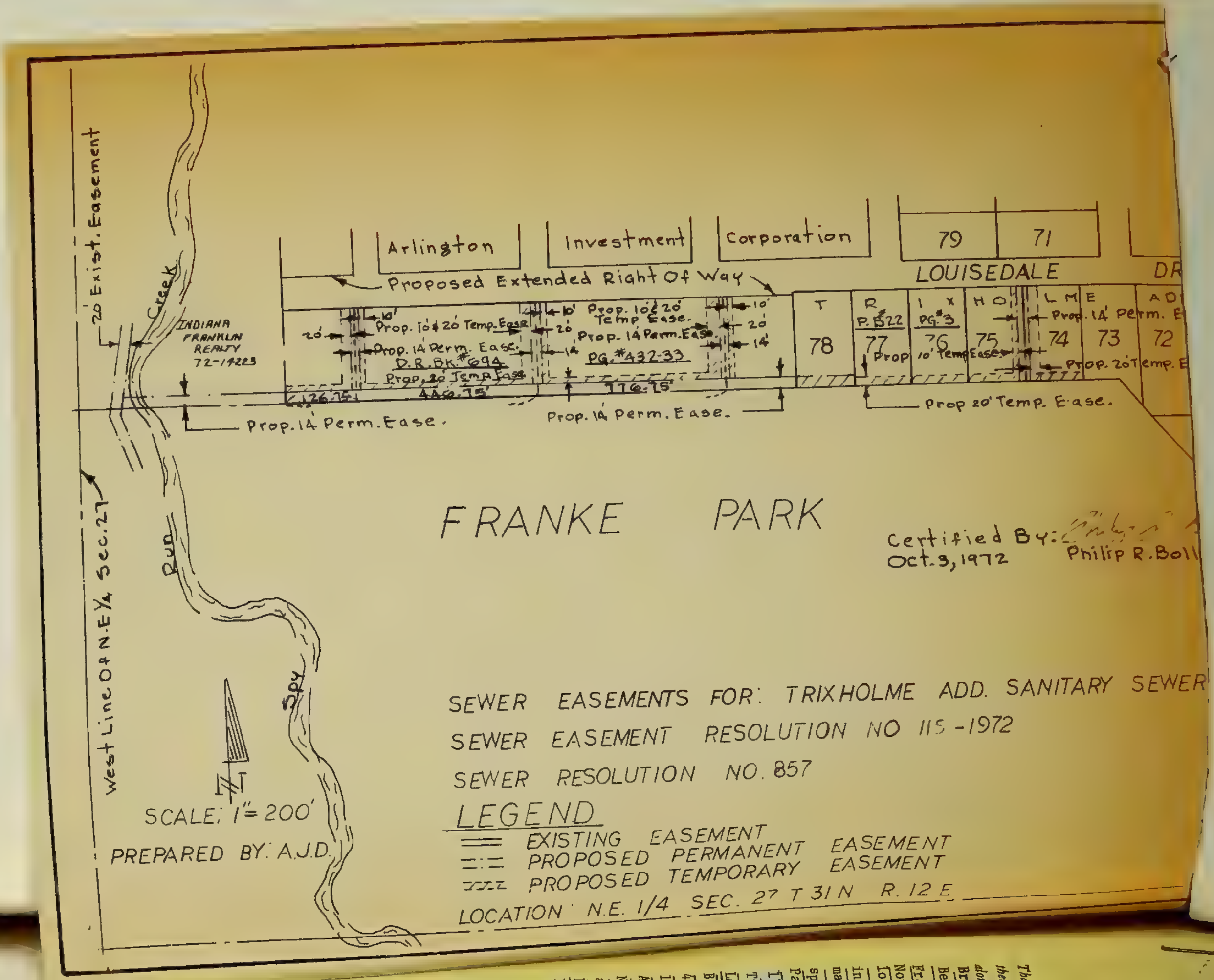
BOARD OF PUBLIC WORKS

Attest:

Clerk

Reference Resolution 857

F 13564


20' Exist. Easement
Creek
Run
Spy
West Line Of N.E.¼ Sec. 27
INDIANA FRANKLIN REALTY 72-14223
Arlington
Investment
Corporation
79
71
Proposed Extended Right Of Way
LOUISEDALE
DR
Prop. 10' & 20' Temp. Ease.
Prop. 14' Perm. Ease.
D.R. BK. #694
Prop. 20' Temp. Ease.
Prop. 10' & 20' Temp. Ease.
Prop. 14' Perm. Ease.
PG. #432-33
10'
20'
14'
126.75'
446.75'
776.75'
Prop. 14' Perm. Ease.
Prop. 14' Perm. Ease.
T
R
P.B22
I X
PG. 3
H O
L M E
A D
78
77
76
75
74
73
72
Prop
10' Temp Ease
Prop. 14' Perm. E
Prop. 20' Temp. E
Prop 20' Temp. Ease.
FRANKE PARK
Certified By:
Oct. 3, 1972
Philip R. Boll
SEWER EASEMENTS FOR: TRIXHOLME ADD. SANITARY SEWER
SEWER EASEMENT RESOLUTION NO 115-1972
SEWER RESOLUTION NO. 857
LEGEND
EXISTING EASEMENT
PROPOSED PERMANENT EASEMENT
PROPOSED TEMPORARY EASEMENT
LOCATION N.E. 1/4 SEC. 27 T 31 N R. 12 E
N
SCALE: 1" = 200'
PREPARED BY: A.J.D.

59-25-7 Bu

LOCAL SEWER IMPROVEMENT RESOLUTION

NO. 857, 1972

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, That the construction of a local sewer, intended and adopted only for local use by the property holders whose property abuts thereon, and not intended or adapted for receiving sewage from collateral drains, be and the same is hereby ordered in and along

Branch Sewer:

Beginning at an existing manhole located 7 ± feet South of the North property line of Franke Park and 66 ± feet West of the centerline of Spy Run Creek; thence East along the North property line of Franke Park a distance of 1,578 ± lineal feet, to a proposed manhole located near the Southwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence Southeasterly a distance of 620 ± lineal feet to a proposed manhole located in Morrow Way Drive 15 ± lineal feet South of the most Southerly point of space now or formerly owned by Thomas L. and Susan Murphy, as recorded in Deed Book 719, Page 144, thence East a distance of 452 feet, terminating at a proposed manhole located 17 ± lineal feet North of and 14 ± lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "A":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 4 + 18 on aforedescribed Branch Sewer, said location more particularly described as being located 126.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155 ± lineal feet, terminating at a proposed bulkhead.

LATERAL "B":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 7 + 38 on aforedescribed Branch Sewer, said location more particularly described as being located 446.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155 ± lineal feet, terminating at a proposed bulkhead.

LATERAL "C":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 10 + 58 on aforedescribed Branch Sewer, said location more particularly described as being located 776.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155 ± lineal feet, terminating at a proposed bulkhead. (Continued)

in diameter, and said sewer, with all its appurtenances, shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders whose property abuts thereon, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of ~~six~~ 6 per cent. per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 24th *day of* October *19*72

BOARD OF PUBLIC WORKS:

D. Boswell
Ronald L. Bonar
Edwin J. Williams

NOTE: IN THE ASSESSMENT DUE FOR THE ABOVE-MENTIONED IMPROVEMENT RESOLUTION, THE LOCAL ASSESSMENT CHARGE AND THE AREA CONNECTION CHARGE OF $300.00 PER ACRE FOR INTERCEPTOR RESOLUTION NO. 131 ADOPTED BY THE BOARD OF PUBLIC WORKS DATED APRIL 26, 1961 HAVE BEEN INCORPORATED.

Beginning at a proposed manhole located 15 ± lineal feet South of the Southwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence North along the West property line of said Lot #74 to a proposed manhole located within the right-of-way of Louisedale Drive 15 ± lineal feet North of the Northwest corner of said Lot #74; thence East 15 ± lineal feet North of and parallel to the South right-of-way of Louisedale Drive, terminating at a proposed manhole located 4 feet East of and 15 ± lineal feet North of the Northwest corner of Lot #15 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "D-1":

Beginning at a proposed manhole within Louisedale Drive right-of-way located 15 ± lineal feet North of the Northwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence West 228 ± lineal feet, terminating at an existing manhole located 25 ± lineal feet West of and 15 ± lineal feet North of the Northwest corner of Lot #76 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

LATERAL "D-2":

Beginning at a proposed manhole located within Louisedale Drive right-of-way 28 ± lineal feet West of and 16 ± lineal feet North of the Northeast corner of Lot #73 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence due North 15 ± lineal feet West of the East right-of-way line of Hampton Avenue 686 ± lineal feet, terminating at a proposed manhole located 15 ± lineal feet West of and 5 ± lineal feet North of the Southwest corner of Lot #62 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "D-3":

Beginning at a proposed manhole located 10 ± lineal feet East of and 10 ± lineal feet South of the centerline intersection of Louisedale Drive and Kentland Avenue; thence North 10 feet East of and parallel to the centerline of said Kentland Avenue 700 ± lineal feet, terminating at a proposed manhole located 35 ± lineal feet East of and 12 ± lineal feet North of the Southeast corner of Lot #44 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "E":

Beginning at a proposed manhole located within the right-of-way of Morrow Way Drive where it joins Sylvia Plaza; thence Southwesterly generally following the East right-of-way line of Sylvia Plaza 680 ± lineal feet to a proposed manhole located within the right-of-way of Loch Lomond Drive 16 ± lineal feet South of and 7 ± lineal feet West of the Southwest corner of Lot #40 of Trixholme Addition, Section "B", as recorded in Plat Book 18, Page 170; thence Easterly 16 ± lineal feet South of and parallel to the North right-of-way line of Loch Lomond Drive 540 feet, terminating at a proposed manhole located 16 ± lineal feet South of and 10 ± lineal feet East of the Southwest corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17 ± lineal feet North of and 14 ± lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence Southerly 14 ± lineal feet East of and parallel to the West right-of-way line of Sherman Boulevard 516 ± lineal feet, terminating at a proposed manhole located 15 ± lineal feet East of and 20 ± lineal feet South of the Northeast corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F-1":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17 ± lineal feet North of and 14 ± lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence North generally along and parallel to the West right-of-way line of Sherman Boulevard 380 ± lineal feet, terminating at a proposed manhole located 11 ± lineal feet East of and 10 ± lineal feet North of the Southeast corner of Lot #14 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

All sewers shall be 8, 10, 12 and 15-inches in diameter, and all located within the Northeast quarter of Section 27, Township 31 North, Range 12 East and lying fully within the corporate limits of the City of Fort Wayne.

4.50

5^{50}

DECLARATORY RESOLUTION No. 1326 19 72

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of Riverview Drive from the easterly right of way line of Edgewood Avenue to the westerly right of way line of Clinton Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Riverview Drive from the easterly right of way line of Edgewood Avenue to the westerly right of way line of Clinton Street.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - Opening - Condemnation of right of way for utility purposes is described as follows: Lots 10, 11, 12, 14, 15, 16 in Riverview Park 1st Addition and triangular part of Block Four Riverview Park Extended Addition and space in the southeast quarter Section 26, Township 30 north, Range 12 east. Said space and additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, ~~water mains~~, gas mains, electric pole lines and conduits, ~~telephone and telegraph pole lines and conduits~~.

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter Section 26, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 24th DAY OF October 19 72

Attest: ____________________
Secretary Board of Public Works.

Board of Public Works.

1.

72 23352

G.O. 185-72

Irene Linhart
ALLEN COUNTY RECORDER

1972 OCT 18 PM 3 26

AGREEMENT
FOR SANITARY
SEWER EXTENSION

THIS AGREEMENT, made in triplicate this 16 day of October, 1972 , by and between LAKE FOREST GARDEN APARTMENTS, hereinafter referred to as "Developer", and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, the DEVELOPER desired to construct a sanitary sewer described as follows:

> Commencing at a point situated 1,048.19 feet North 89 degrees, 47 minutes East and 505 feet North 00 degrees 13 minutes West of the Southwest corner of the fractional Northwest quarter of Section 34, Township 31 North, Range 13 East, Allen County, Indiana; thence South 89 degrees 47 minutes West a distance of 182 feet; thence North 00 degrees 13 minutes West a distance of 7 feet to the POINT OF BEGINNING: thence Easterly in and along a proposed 14-foot easement a distance of 172 ± feet; thence Northerly in and along a proposed easement a distance of 350 ± feet, terminating at a proposed manhole.

in accordance with plans, specifications, and profiles heretofore submitted to the CITY and now on file in the office of the Chief Engineer of the Water Pollution Control Engineering Department of the CITY, and known as Georgetown Square Sanitary Sewer Extension, which plans, specifications, profiles are by reference incorporated herein and made a part hereof, which sewer will serve not only land in which the DEVELOPER has an interest, but also adjoining land areas.

WHEREAS, the cost of the construction of said sewer is represented to be $5,000.00;

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER

The DEVELOPER shall cause said sewer to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY, under private contract with CITY approval. All work and materials shall be inspected by the CITY and conform with all CITY standards and specifications. Upon completion, said sewer shall become the property of CITY and all further maintenance thereafter shall be borne by the CITY.

DULY ENTERED FOR TAXATION
OCT 18 1972
Dorothy E Raver
AUDITOR OF ALLEN COUNTY

Bd. Wks. Bx

Instrument F. 7688 5^{50}

2. COST OF CONSTRUCTION

The DEVELOPER agrees to pay the entire cost and expense of construction of said sewer, in cash, including CITY engineering and inspection fees, and to hold the CITY harmless from any liability for claims connected therewith.

3. AREA OF DEVELOPER

Said sewer, when accepted by the CITY, will serve the following described real estate:

> Part of the fractional Northwest Quarter of Section 34, Township 31 North, Range 13 East, in Allen County, Indiana, more particularly described as follows:
>
> Beginning at a point situated 873.19 feet North 89 degrees 47 minutes East and 483 feet North 00 degrees 13 minutes West of the Southwest corner of the fractional Northwest Quarter of Section 34, Township 31 North, Range 13 East, in Allen County, Indiana; thence North 00 degrees 13 minutes West a distance of 499 feet; thence North 89 degrees 47 minutes East a distance of 175 feet; thence South 00 degrees 13 minutes East a distance of 499 feet; thence South 89 degrees 47 minutes West a distance of 175 feet to the place of beginning, containing 2.00 Acres, more or less, subject to easements.

As the DEVELOPER will pay for the cost of construction of said sewer as it pertains to the above described area, no charge or assessment is made by this Agreement against the above described real estate for the construction of said sewer by the present or future owners of said real estate except only as to such standard tap-in, inspection fees and/or charges as are customarily charged by the CITY for connections to CITY sewer mains.

4. CHARGE AGAINST AREA

An area connection charge of $300.00 per Acre must be paid to the City at the time of connection. This connection charge is in addition to any local charge as set forth above and represents the oversizing cost expended by the City for sewer line pertaining to Pierson Ditch Interceptor - Resolution No. 145-1964 and Resolution No. 146-1964, adopted by resolution of the Board of Works on September 14, 1964.

5. BOND

This contract is subject to DEVELOPER furnishing a satisfactory Performance and Guaranty Bond for the value of the sewer which shall guarantee said sewer against defects for a period of one (1) year from the date of final acceptance of said sewer by the CITY.

6. WAIVER OF RIGHT TO REMONSTRATE AGAINST ANNEXATION

The DEVELOPER, for himself, his successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of any territory now or hereafter owned by him, as described in Article 3 herein, or hereafter served by said sewer or any extension thereof.

In further consideration and to induce CITY to execute and ratify this contract, said DEVELOPER, for himself, his successors and assigns, agrees by this contract to vest in CITY the permanent right at its discretion to annex to the CITY OF FORT WAYNE at any future time by duly authorized ordinance the said real estate described in Article 3 herein.

DEVELOPER further agrees that any deeds, contracts, or other instruments of conveyance made by the DEVELOPER, its successors or assigns transferring or conveying any interest or title in and to any of the real estate described in ARticle 3 herein, shall contain the waiver and release provisions contained in this article, which provisions shall run with the land and the acceptance of the delivery of any such instrument from the DEVELOPER, his successors and assigns by any grantee, vendee, or contract purchaser, shall be made subject to the terms of this Agreement and shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contract purchaser and their successors in title.

The Developer further agrees to record an executed copy of this contract in the Allen County Recorder's Office within ten (10) days of its adoption and approval by the Common Council of CITY as hereinafter provided.

Any owner or owners of land which is now, or hereafter located outside the corporate limits of CITY who connect into the sewer constructed hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by CITY of such land or of the territory in which it is located or of the area served by said sewer.

L.J.
10/4/73

Deleted
JPB
9/5/91

~~7. COUNCILMANIC APPROVAL~~

~~It is understood and agreed that this contract is in all respects subject to approval by the Common Council of CITY, by duly adopted Ordinance, and if such Ordinance is not adopted within a period of ninety (90) days after execution thereof, this contract shall be null and void and of no further force and effect.~~

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day and year first above written.

DEVELOPER:

CITY OF FORT WAYNE, INDIANA

By
(Ivan A. Lebamoff) Mayor

BOARD OF PUBLIC WORKS

By Jerry D. Boswell
Jerry D. Boswell, Chairman

By Ronald L. Bonar
Ronald L. Bonar, Member

By William G. Williams
William G. Williams, Member

OCT 16 1972

ATTEST:

Edna L. Smith
Clerk

Approved as to form and legality

John H Logan
Associate City Attorney

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ivan A. Lebamoff, Mayor; Jerry D. Boswell, Chairman; Ronald L. Bonar and William G. Williams, Members of Board of Public Works, who acknowledged the execution of the foregoing agreement for sewer extension, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 16th day of October, 1972.

Anne J. Fox
Notary Public

My Commission Expires:
March 6, 1976

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Lake Forest Garden Apartments, who acknowledged the execution of the foregoing agreement for sewer extension, as and for its voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 9th day of October, 1972.

Anne J. Fox
Notary Public

My Commission Expires:
March 6, 1976

This instrument prepared by Philip R. Boller, Registered Land Surveyor No. 9846, State of Indiana.

DECLARATORY RESOLUTION No. **1325** 19 72

For the Vacation - Opening - Condemnation of right of way for utility purposes of the alley between Bowser Avenue and Holton Avenue from the north property line of the first alley north of Creighton Avenue to the south property line of the second alley north of Creighton Avenue.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Bowser Avenue and Holton Avenue from the north property line of the first alley north of Creighton Avenue to the south property line of the second alley north of Creighton Avenue.

All as shown by a plan of such proposed Vacation - Opening - Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - Opening - Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - Opening - Condemnation of right of way for utility purposes is described as follows: Lots 51 and 52 in Green's Sub. of Hannas Plat "A" and Lots 4 - 7 inclusive in J.T. Hannas Sub. Said additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described are situated in the southeast quarter Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 16th DAY OF October 19 72.

Attest:

Secretary Board of Public Works.

Board of Public Works.

OCT 16 1972

59-11- H.I

DECLARATORY RESOLUTION No. 1324 19 72

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of the alley between Wabash Avenue and Glasgow Avenue from the south property line of Washington Boulevard to the north property line of Humphrey Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Wabash Avenue and Glasgow Avenue from the south property line of Washington Boulevard to the north property line of Humphrey Street.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots 89 to 100 inclusive and Lots 102 and 103 all in White's 1st Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, ~~water mains~~, ~~gas mains~~, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter of Section Six, Township 30 north, Range 13 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 18th DAY OF October 1972

Attest:
Secretary Board of Public Works.

Foxwell
Ronald L.

Board of Public Works.

79-19-6

P. Wo

DECLARATORY RESOLUTION No. 1323 19 72

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes.~~ Wabash Avenue from the south property line of Washington Boulevard to the north property line of Humphrey Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Wabash Avenue from the south property line of Washington Boulevard to the north property line of Humphrey Street.

All as shown by a plan of such proposed Vacation - of said street ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - of said street ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots 104, 105 and 88 to 94 inclusive, all in White's 1st Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described~~ street shall be subject to an easement ~~for the use of the~~ City of Fort Wayne, Indiana, and other ~~public utilities for the construction~~ and maintenance of sewers, ~~water mains~~, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and ~~conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter of Section Six, Township 30 north, Range 13 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 18th DAY OF October 19 72.

Attest: ______________________

Secretary Board of Public Works.

Ronald L Bonar

Board of Public Works.

Wo* 82248

10/16/72

SEWER EASEMENT RESOLUTION NO. 113-1972

72 - 28566

(TEMPORARY & PERMANENT)

For the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Richardville Reserve and the southwest ¼ of Section 26, Township 30 North, Range 12 East and the northwest ¼ of Section 35, Township 30 North, Range 12 East, bounded by the St. Mary's River on the east, the Baer Field Throughway on the west, and 600 ± feet north and south of the Lower Huntington Road.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a temporary and permanent sewer easement along and across a portion of Richardville Reserve and the southwest ¼ of Section 26, Township 30 North, Range 12 East and the northwest ¼ of Section 35, Township 30 North, Range 12 East, bounded by the St. Mary's River on the east, the Baer Field Throughway on the west, and 600 ± feet north and south of the Lower Huntington Road, more particularly described as follows:

1972 DEC 26 PM 2 56
ALLEN COUNTY RECORDER

PERMANENT EASEMENT

An easement 14 feet uniform in width on a centerline more particularly described as:

Commencing at a point on the centerline of the Lower Huntington Road projecting northeasterly across the Stellhorn Bridge and 22 feet southwest of the southwest end of said bridge; thence, deflecting left 92° 2' a distance of 388.7 feet to the POINT OF BEGINNING; said point being the existing structure on the St. Mary's Interceptor sewer; thence, deflecting left 85° 11' a distance of 8.4 feet; thence, deflecting right 31° 29' a distance of 309 feet; thence, deflecting left 36° 58' a distance of 414.65 feet; thence, deflecting right 44° 39' a distance of 100.9 feet; thence, deflecting left 76° 32' a distance of 202.05 feet to a point on the southeasterly line of Lot 6 in J. Godfrey's Partitions and the northwest corner as recorded in Deed Record 586, Page 216-17; thence, deflecting right along said southeasterly line of Lot 6 to the intersection of the north right-of-way of Lower Huntington Road and the southeast corner of the Don R. Gentis property as described in Deed Record 697, Page 547.

Also, the east 14 feet of the property now or formerly owned by Robert P. Criswell as recorded in Deed Record 559, Page 519-20 and lying immediately adjacent to the west right-of-way line of Winchester Road.

Also, the east 14 feet of the property now or formerly owned by National Oil Corporation as recorded in Deed Record 586, Page 216-17 and lying immediately adjacent to the west right-of-way line of Winchester Road.

Also, the east 14 feet of the property now or formerly owned by National Oil Corporation as recorded in Deed Record 564, Page 139-40 and lying immediately adjacent to the west right-of-way line of Winchester Road.

Also, the north 14 feet lying adjacent to the south right-of-way of Lower Huntington Road along and across the portions of Lot 5 in J. Godfrey's Partitions as described in Deed Record 718, Page 206 and Deed Record 325, Page 332.

Also, the west 14 feet of Lot 7 in Boggs Orchard Terrace Addition.

Also, the west 14 feet of Lot 8 in Boggs Orchard Terrace Addition.

Also, the south 7 feet of Lot 8 in Boggs Orchard Terrace Addition.

Also, the north 7 feet of Lot 9 in Boggs Orchard Terrace Addition.

All as set forth on the attached drawing.

DULY ENTERED FOR TAXATION
DEC 26 1972
Dorothy E. Raver
AUDITOR OF ALLEN COUNTY

TEMPORARY EASEMENT

An easement 30 feet uniform in width lying immediately adjacent to the north and/or right side of the above described permanent easement from the point of beginning to its intersection with the east right-of-way of Winchester Road.

Also, an easement 30 feet uniform in width lying immediately adjacent to the east and/or left side of the above described easement from a point on said permanent easement

Instrument F 9761

750

Map

82.05 feet north of the northwest corner of the property now or formerly owned by the National Oil Corporation as recorded in Deed Record 586, Page 216-17 to the south intersection with the north right-of-way of Lower Huntington Road.

Also, the east 30 feet of the west 44 feet of Lot 7 in Boggs Orchard Terrace Addition.

Also, the east 30 feet of the west 44 feet of Lot 8 in Boggs Orchard Terrace Addition.

Also, the south 30 feet of the north 37 feet of Lot 9 in Boggs Orchard Terrace Addition.

All as set forth on the attached drawing.

The temporary easement to expire one (1) year from the date of execution.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof.

All streets, lots and land affected by the above described condemnation are situated in the Richardville Reserve (Southwest ¼, Section 26, Township 30 North, Range 12 East) and Richardville Reserve (Northwest ¼, Section 35, Township 30 North, Range 12 East).

Adopted this 16th day of October, 1972.

Boswell

Ronald L Bonar

Board of Public Works

OCT 16 1972

Attest:

Smith

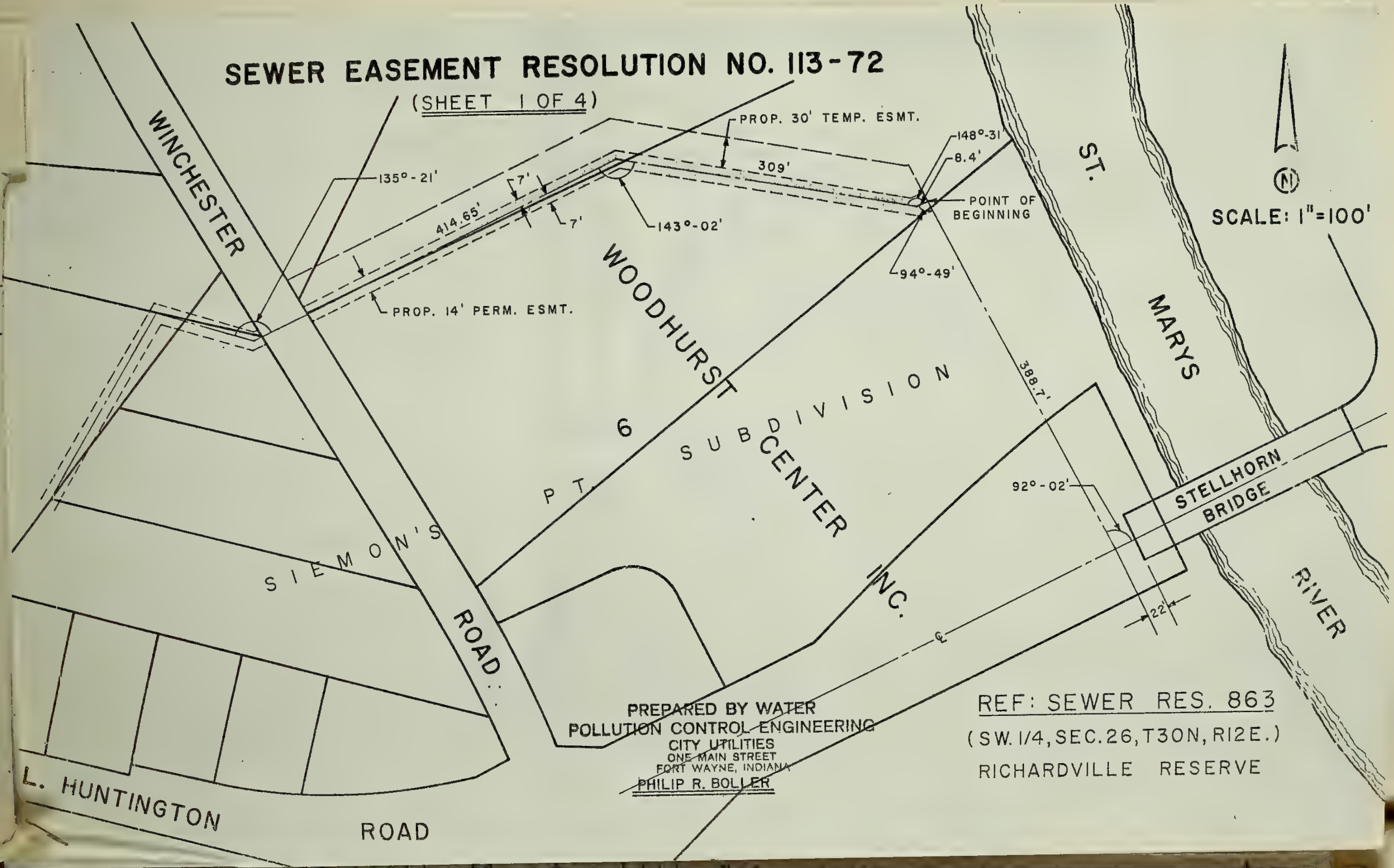
Clerk

Reference: Winchester - Lower Huntington Road Sewer Resolution No. 863.

Prepared by Philip R. Boller.

SEWER EASEMENT RESOLUTION NO. 113-72

(SHEET 1 OF 4)


PROP. 30' TEMP. ESMT.
135°-21'
7'
414.65'
7'
309'
143°-02'
148°-31'
8.4'
POINT OF BEGINNING
94°-49'
PROP. 14' PERM. ESMT.
WINCHESTER ROAD
WOODHURST CENTER INC.
PT. 6 SUBDIVISION
SIEMON'S
388.7'
92°-02'
22'
℄
ST. MARYS RIVER
STELLHORN BRIDGE
L. HUNTINGTON ROAD
Ⓝ

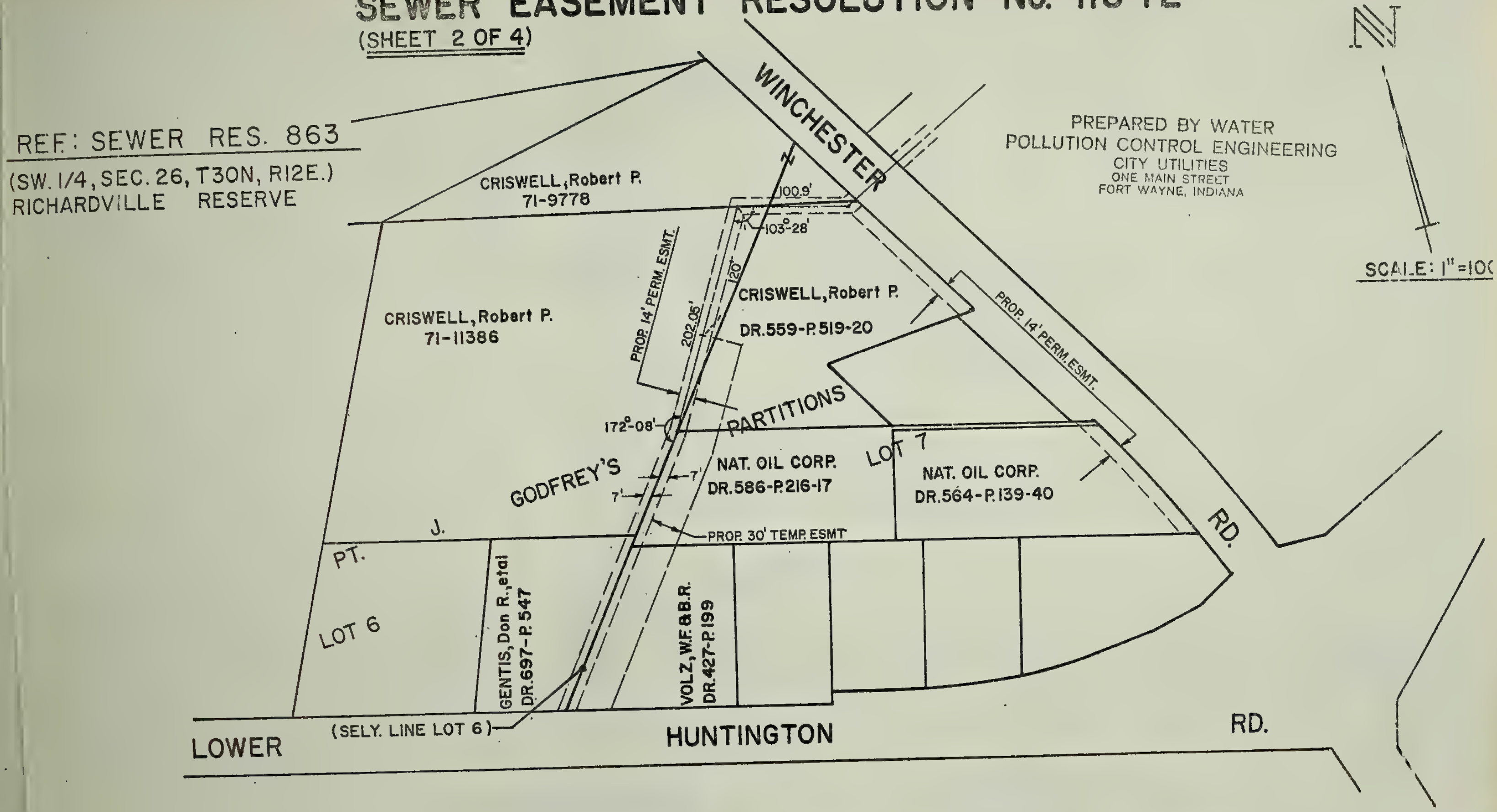
SCALE: 1"=100'

PREPARED BY WATER
POLLUTION CONTROL ENGINEERING
CITY UTILITIES
ONE MAIN STREET
FORT WAYNE, INDIANA
PHILIP R. BOLLER

REF: SEWER RES. 863
(SW. 1/4, SEC. 26, T30N, R12E.)
RICHARDVILLE RESERVE

SEWER EASEMENT RESOLUTION No. 113-72

(SHEET 2 OF 4)


REF: SEWER RES. 863
(SW. 1/4, SEC. 26, T30N, R12E.)
RICHARDVILLE RESERVE

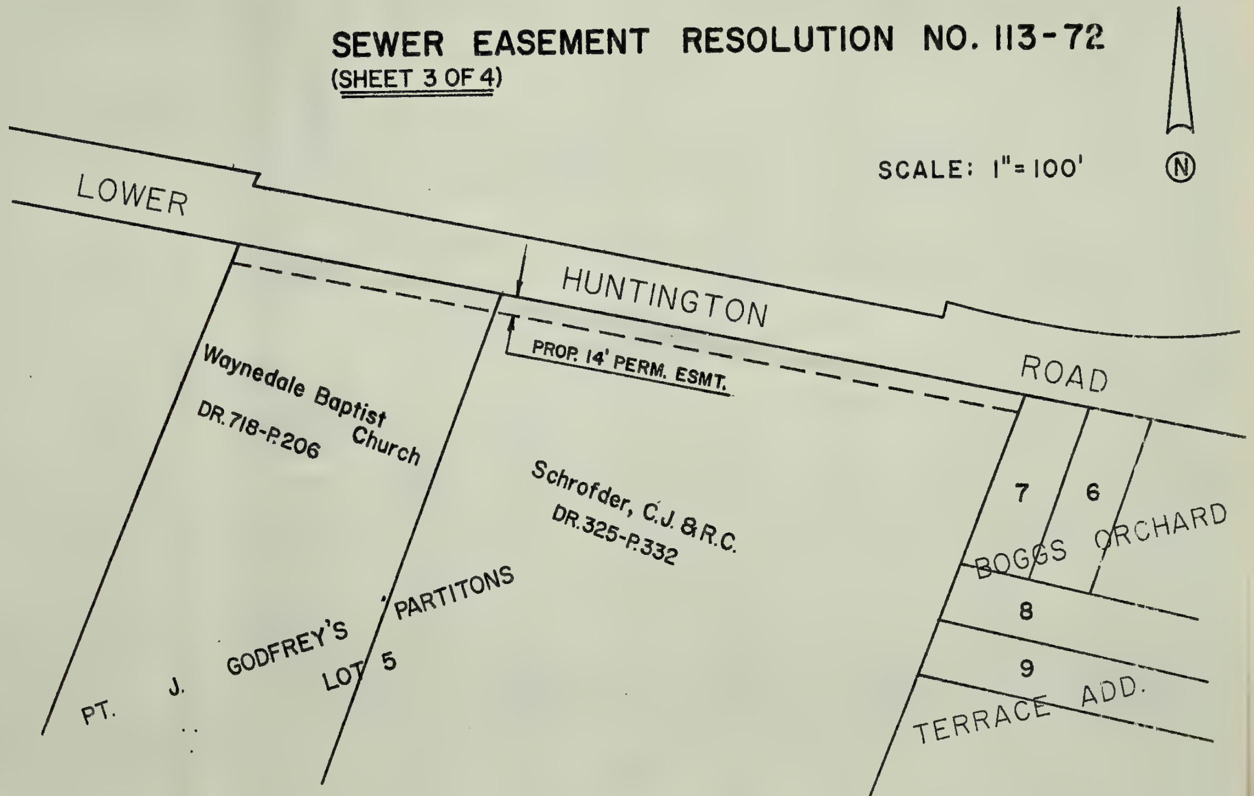
PREPARED BY WATER
POLLUTION CONTROL ENGINEERING
CITY UTILITIES
ONE MAIN STREET
FORT WAYNE, INDIANA

SCALE: 1"=10(

N
WINCHESTER
RD.
CRISWELL, Robert P.
71-9778
100.9'
103°-28'
CRISWELL, Robert P.
71-11386
PROP. 14' PERM. ESMT.
202.05'
120'
CRISWELL, Robert P.
DR.559-P.519-20
PROP. 14' PERM. ESMT.
172°-08'
PARTITIONS
GODFREY'S
7'
7'
NAT. OIL CORP.
DR.586-P.216-17
LOT 7
NAT. OIL CORP.
DR.564-P.139-40
J.
PT.
PROP. 30' TEMP. ESMT.
LOT 6
GENTIS, Don R., etal
DR.697-P.547
VOLZ, W.F. & B.R.
DR.427-P.199
(SELY. LINE LOT 6)
LOWER
HUNTINGTON
RD.

SEWER EASEMENT RESOLUTION NO. 113-72

(SHEET 3 OF 4)


SCALE: 1"=100'
Ⓝ
LOWER
HUNTINGTON
ROAD
PROP. 14' PERM. ESMT.
Waynedale Baptist Church
DR.718-P.206
Schrofder, C.J. & R.C.
DR.325-P.332
PT. J. GODFREY'S PARTITONS
LOT 5
7
6
8
9
BOGGS ORCHARD
TERRACE ADD.

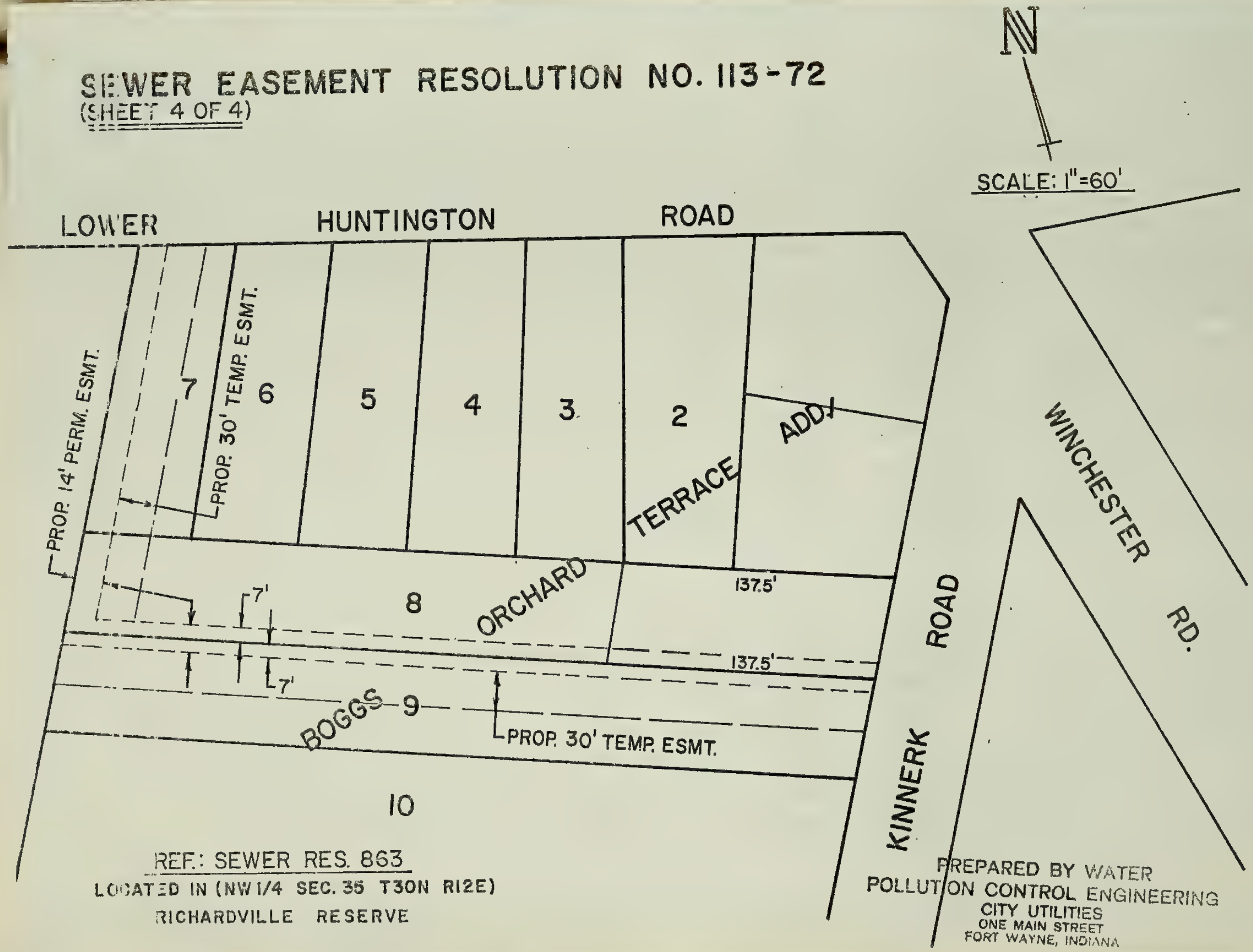
REF: SEWER RES. 863

LOCATED IN (NW 1/4 SEC. 35 T30N R12E)
RICHARDVILLE RESERVE

PREPARED BY WATER
POLLUTION CONTROL ENGINEERING
CITY UTILITIES
ONE MAIN STREET
FORT WAYNE, INDIANA

SEWER EASEMENT RESOLUTION NO. 113-72

(SHEET 4 OF 4)


N
SCALE: 1"=60'
LOWER HUNTINGTON ROAD
WINCHESTER RD.
KINNERK ROAD
ORCHARD TERRACE ADD.
BOGGS
1
2
3
4
5
6
7
8
9
10
PROP. 14' PERM. ESMT.
PROP. 30' TEMP. ESMT.
PROP. 30' TEMP. ESMT.
7'
7'
137.5'
137.5'

REF.: SEWER RES. 863
LOCATED IN (NW 1/4 SEC. 35 T30N R12E)
RICHARDVILLE RESERVE

PREPARED BY WATER
POLLUTION CONTROL ENGINEERING
CITY UTILITIES
ONE MAIN STREET
FORT WAYNE, INDIANA

1-13-7
10/16/72

LOCAL SEWER IMPROVEMENT RESOLUTION

NO. 863, 19 72

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, STATE OF INDIANA, *That the construction of a local sewer, intended and adopted only for local use by the property holders whose property abuts thereon, and not intended or adapted for receiving sewage from collateral drains, be and the same is hereby ordered* ~~in and~~ ~~along~~ commencing at an existing structure on the St. Mary's Interceptor, Resolution No. 214, 390 ± feet Northwest of the Stellhorn Bridge on the West side of the St. Mary's River and 650 ± feet East of Winchester Road; thence, Southeasterly 12 ± feet to a proposed manhole; thence, Westerly 301 ± feet; thence, Southwesterly 450 ± feet to a proposed manhole, 7 ± feet West of the West right-of-way of Winchester Road and 560 ± feet North of the Lower Huntington Road; thence, Northwesterly a distance of 101 ± feet; thence, Southwesterly 540 ± feet to a proposed Manhole No 6, 32 ± feet South of the centerline of Lower Huntington Road and 338 ± feet West of the Northwest corner of Lot No. 7 in Boggs Orchard Terrace Addition; thence, Westerly in and along a proposed easement parallel to Lower Huntington Road a distance of 349 ± feet terminating at a proposed manhole 32 ± feet South of the centerline of said road.

Lateral A

Commencing at the above mentioned proposed Manhole No. 6; thence, Southeasterly in and along a proposed easement 338 ± feet to a point on Lot No. 7 of the above mentioned addition 7 ± feet East of the West property line; thence, Southwesterly in and along a proposed easement and parallel with the West property line of Lot No. 7 a distance of 196 ± feet to a point on the South line of Lot No. 8, 7 ± feet East of the West property line; thence, Southeasterly 460 ± feet along the South property line of Lot No. 8 terminating in Kinnerk Road 5 ± feet West of the West property line of Lot No 33 in Allison's Suburban Addition.

Lateral B

Commencing at a proposed manhole 7 ± feet West of the West right-of-way of Winchester Road and 560 ± feet North of the intersection of Lower Huntington Road; thence, Southeasterly in and along a proposed easement a distance of 355 ± feet terminating at a proposed manhole 7 ± feet West of the West right-of-way of Winchester Road.

Said sewers to be 8 and 12 inches in diameter.

in diameter, and said sewer, with all its appurtenances, shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said city.

The cost of said improvement shall be apportioned against and paid by the property holders whose property abuts thereon, and upon the City of Fort Wayne, Indiana, if the city is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments, if deferred, are to be paid in ten equal annual installments, with interest at the rate of ~~five~~ 6% per cent, per annum. A bond or bonds shall be issued to the contractor in payment of such work, unless the property owners pay said assessments before said bond or bonds are issued. Under no circumstances shall the City of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond or bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the city from the assessments for such improvement, or such moneys as said city is by said above entitled act required to pay. All proceedings had and work done in the making of said improvements, assessments of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments and supplements thereto.

Adopted, this 16th *day of* October 1972

BOARD OF PUBLIC WORKS:

Ronald J. Bonar

OCT 16 1972

Thursday, October 5, 1972

rtment of Public Works
of the Board
910, City-County Building
r meeting held at 9 a.m.

PRESENT:

Boswell, R. L. Bonar, W. G. Williams
. Smith

J. D. Boswell, R. L. Bonar,
W. G. Williams
Edna I. Smith, Clerk

ved minutes of meeting held Monday,
r 2, 1972 at 9 a.m. and Tuesday,
r 3, 1972 at 9 a.m.

ved purchase orders from the Purchasing
of City Utilities.

Approved.

ved payment vouchers from the Auditor
ty Utilities.

Approved and ordered sent to the Department of Finance.

ved driveway applications.

Approved and permits issued.

1058 Delaware -- Driveway Pavers, Inc.
Indiana on Pettit --------- Don Till
. State --------- Ft. Wayne Donut, Inc. (DENIED)

ved private sidewalk applicatons.

Approved and permits issued.

Brooklyn ------------ Ned Keener Const.
Hoagland ------------ Preston Lyons
Hoagland ------------ Preston Lyons
. Rudisill --------- A. M. Tilbury
. Wayne ----------- Ned Keener Const.
. Williams ---------- Preston Lyons

ved street cut applications.

Approved and permits issued.

Spruce Ct.from Pinewood N. -----NIPSCO
Blue Spruce Ct. (prkstrp) -Water Const.
Broadway --------------------- NIPSCO
Cr. W/ Hessen Cassel Rd.-Water Const.
hestnut --------------------- NIPSCO
N Clinton ------------------- NIPSCO
iew W/Hessen Cassel Rd. -- Water Const.
r Dr. W/ Hessen Cassel Rd.-Water Const.
Hawthorne -------------------- NIPSCO
Hessen Cassel (prkstrp) ---Water Const.
Holton ---------------------- NIPSCO
Ave. W/o By-Pass --------- Land Excav.
ll /War Memorial Coliseum ----- NIPSCO
Richardson ------------------ NIPSCO
way W/Hessen Cassel Rd. -- Water Const.
Ridgewood ------------------ NIPSCO.

6. Received Tabulation and Recommendation prepared by the City Engineering Department for Street Improvement Resolution No. 5626-1972 for improving Dunnwood Drive from the westerly pavement edge of Spy Run Extended to a point approximately 200 feet west thereof.

AWARD CONTRACT to Hipskind Asphalt Corporation, at and for their Bid, in the amount of $16,768.90.

7. Received Tabulation and Recommendation prepared by the City Engineering Department for Sidewalk Improvement Resolution No. 5627-1972 for improving by realigning the curbing and sidewalk on the north side of West State Boulevard at Jessie Avenue, etc.

AWARD CONTRACT to A. Grosjean & Son, at and for their Bid, in the amount of $6,900.75.

8. Received Final Assessment Roll prepared by the City Engineering Department for Street Improvement Resolution No. 5605-1972 for improving Radcliffe Drive from the south property line of Paulding Road to a point approximately 735 feet south thereof.

CONFIRMED AND ORDERED sent to the Department of Finance.

Meeting adjourned at 9:25 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Thursday, October 5, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	PRESENT: J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
Continued from September 14, 1972 HEARING ON CONFIRMATION OF ASSESSMENT ROLL: Declaratory Improvement Resolution No. 1302-1972, for the vacation of the second alley west of Wells Street from the south property line of Louisedale Drive to the south line of Louisedale Addition.	Continued to Thursday, November 9, 1972 at 3:30 p.m.
Received approved plans and profile, submitted by the Water Pollution Control Engineering Department for construction of Storm Sewer Extension for Jerry Doran Property in Brooklyn Avenue area.	Approved. Issue Board Order No, 173-1972.
Received approved plans and profile, submitted by the Water Pollution Control Engineering Department for construction of Storm and Sanitary Sewers for Pheasant Run Section II.	Approved. Issue Board Order No. 174-1972.
Received a request from Northern Indiana Public Service Company (Dave Stratton), 114 East Wayne Street, to obtain permission to close the intersection at the corner of Fairfax and McClellan Streets on Thursday, October 5, 1972 from 1:30 p.m. to 2:30 p.m. PURPOSE: To run gas line.	Approved and permit issued.

5. SEWER TAP AGREEMENT REIMBURSEMENT: Permission is hereby granted to Gene A. Glosson and E. F. Osborn, to tap a sewer to serve 204 E. Hoover and 120 E. Hoover Street. Said permission is conditioned upon the payment of the sum of $2,498.04, to the City of Fort Wayne as reimbursement under a certain Sewer Agreement No. SC-71-1, dated the 3rd day of January, 1971, who are parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Control Engineer, the Permit Room.	Approved. Ordered the City Utilities to remit the sum of $2,498.04, to Fairview Lands, Inc., 7708 Bluffton Road, which sum was deposited with the City by the applicant, to be distributed as set out in the Special Sewer Tap Agreement.
6. SEWER tap agreement reimbursement: Permission is hereby granted to Gene A. Glosson and E. F. Osborn, to tap a sewer to serve 204 E. Hoover and 120 E. Hoover Street. Said permission is conditioned upon the payment of the sum of $534.75, to the City of Fort Wayne as reimbursement under a certain Sewer Agreement No. SC-66-1, dated the 21st day of March, 1966, who are parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Control Engineer, the Permit Room.	Approved. Ordered the City Utilities to remit the sum of $534.75, to Gandy Development Corporation, Fort Wayne National Bank Trust Department, which sum was deposited with the City by the applicant, to be distributed as set out in the Special Sewer Tap Agreement.
7. Received a petition for the paving of the alley, including storm drainage, between Glenwood Avenue and Kenwood Avenue from the east property line of Rolston Street to the west property line of Beacon Street, to a width of 10 feet.	Ordered the City Engineer to prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.
8. Received amendment to the restrictive covenants for Pheasant Run, Section I.	Approved.
9. Received Contract, Guaranty and Liability Bonds of Bercot, Inc., in the amount of $44,948.48, prepared by the Water Engineering Department, signed by the American States Insurance Company for Water Improvement Resolution No. 1001, 1972 in Eastland Gardens Additions, Section "A".	Approved.
10. Received Contract, Guaranty and Liability Bonds of Bercot, Inc., in the amount of $30,554.65, prepared by the Water Engineering Department, signed by the American States Insurance Company for Water Improvement Resolution No. 1002, 1972 in Stinsons First Subdivision.	Approved.

eceived request from Silkworth Con-truction Company, % Herb Werling, 2826 outh Calhoun Street for permission to arricade the alley on the West side f the rear of 2800 block of South alhoun Street on Tuesday and Wednesday, ctober 10 and 11, 1972 from 8:00 a.m. uesday to late Wednesday evening.	Approved and permit issued.
eceived Invoice No. 2 of Westenhoff nd Novick, Inc., in the amount of 4,783.68 for professional engineering ervices in connection with planning of roposed East-West Highway, Phase I. (P.O. 10426)	Approved and ordered invoice of Westenhoff and Novick, Inc., in the amount of $4,783.68 paid from the Motor Vehicle Highway Fund.
eceived request from Salvation Army, 1725 . Calhoun Street for permission to place he Christmas booths at the following idewalk locations from Friday, November 24, 1972 hrough Wednesday, December 27, 1972: . C. Murphy's - Calhoun Street . S. Ayers Co. - Clinton Street ears-Roebuck Co. - Clinton at Rudisill RPOSE: Christmas Kettle Appeal to raise unds to provide services in the Christmas Cheer Program.	Approved and permit issued.
eceived a request from Ft. Wayne Post No. 47 merican Legion, 315 W. Washington Boulevard, or permission to hold a parade on Friday, ovember 10, 1972 from 8:00 p.m. to 9:30 p.m.- tarting point: Butler and Calhoun Streets - ermination point: Superior and Calhoun Streets. enry E. Radke is parade marshal. URPOSE - Veterans' Day Parade.	Approved and permit issued.

Meeting adjourned at 4:05 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

D. Smith, Clerk

Tuesday, October 10, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, W. G. Williams
Edna I. Smith, Clerk

Received minutes of meeting held on Thursday, October 5, 1972 at 9 a.m. and on Thursday, October 5, 1972 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

   Approved.

2. Received payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. RECEIVE BIDS:

   Sidewalk Improvement Resolution No. 5625-1972 for the construction of sidewalk on the south side of State Boulevard from the west line of Lot 40, J. H. Feichters Garden View Addition to the west right of way line of Hobson Road.

   A. GROSJEAN & SON ---------$4,068.50

   Referred to the City Engineering Department for tabulation and report.

   Award Contract Thursday, October 12, 1972 at 9 a.m.

   Ordered the City Engineering Department to prepare Contract and necessary documents.

4. Received private sidewalk applications.

4330 Buell Drive ------------	Emil Holliday
918 Burgess ------------	Kinsey & Pretorious
2112 Paul St.----------------	Emil Holliday
836 W. Jefferson -------	Allen J. Wise, Inc.
1641 Spring St. --------------	Emil Holliday
2243 Thompson --------------	Emil Holliday

   Approved and permit issued.

5. Received street cut applications.

1325 Fletcher ---------------------	NIPSCO
4937 S. Harrison --------------	NIPSCO
SW cor. Indiana & Nuttman ----------	NIPSCO
NE cor. S. Lafayete & Pontiac ------	NIPSCO
2510 Princeton (prkstrp) ------	Water Const.
4217 Rutland Lane (prkstrp) --	Water Const.
4218 Rutland Lane (bore - prkstrp) -----	Water Const.
726 Ridgewood --------------------	NIPSCO
1325 Rockhill --------------------	NIPSCO

   Approved and permit issued.

5 Rosemont (alley)	NIPSCO
6 Roy	NIPSCO
2 Stafford (bore - parkstrp)	Water Const.
7 Short	NIPSCO
4 Sinclair	NIPSCO
9 Sinclair	NIPSCO
2 Springfield	NIPSCO
2 Somerset	NIPSCO
3 Stadium	NIPSCO
6 Stadium (alley)	NIpSCO
inson Dr. W/Hessen Cassel	Water Const.
6 Tillman Rd.	NIPSCO
14 Tillman Rd.	Texaco, Inc.
7 E. Wayne (alley)	NIPSCO
2 S. Webster	NIPSCO
02 Weisser Park	NIPSCO
30 Wells	NIPSCO
6 Woodmark (parkstrp)	Water Const.
een - Radcliffe - McKee - and Arnold	NIPSCO

eceived a petition for construction of anitary sewer on Oakwood Drive from umn View Drive to Hessen Cassel Road.	Ordered the Water Pollution Control Engineer to prepare preliminary plans, estimate and all details necessary for the improvement.
eceived a request from Indiana & Michigan ectric Company % Joseph Longardner, r permission to close the following streets: uth side of Main Street from Lafayette to y Street. October 16, 1972 - November 1, 1972. rking Hours: 9 a.m. to 3 p.m. gner St., East to Spy Run ytime between October 16, 1972 and December 31, 1972. rking Hours: 9 a.m. to 4 p.m. est side of Spy Run Ave., from Wagner St. to North ide of Spy Run Bridge - East Side of Spy Run Bridge t Side of Lafayette from Superior to Main. vember 1, 1972 - December 31, 1972. rking Hours: 9 a.m. to 3 p.m. URPOSE: Install and Splice Power Cables.	Approved and permit issued.

Meeting adjourned at

J. D. Braswell

Ronald L. Bauer

William S. Williams

BOARD OF PUBLIC WORKS

TEST:

S. Smith

S. Smith, Clerk

Thursday, October 12, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received tabulation and recommendation prepared by the City Engineering Department for Sidewalk Improvement Resolution No. 5625-1972 for the construction of sidewalk on the south side of State Boulevard from the west line of Lot 40, J. H. Feichter's Garden View Addition to the west right-of-way line of Hobson Road.

AWARD CONTRACT to A. Grosjean & Son at and for their Bid in the amount of $4,068.50

4. Received private sidewalk applications.

1327 Charlotte ------------ Don Till
1925 Hoagland --------- Harry Thomas

Approved and permits issued.

5. Received driveway applications.

3524 Central Ave. --------- Harry Thomas
1923 Lynn Ave. ------------ Ben Brames
3600 Paulding Rd.(Bunt Dr.) -- Ben Bunt
201 & 205 Randolph St. - Ind. Const. Co.
3806 E. State St. (TEMPORARY ENTRANCE)-
------------Ft. Wayne Donut, Inc.

Approved and permits issued.

6. Received street cut applications.

5801 S. Anthony Blvd.	L. Hitzfield
1910 Bear Paw Dr.	Water Const.
Broadripple /Bradbury, East	NIPSCO
California Rd. / Goshen Rd.	NIPSCO
522 Elnora	NIPSCO
7603 Ensign Ct. (prkstrp)	Water Const.

Approved and permits issued.

Goshen Rd. (prkstrp) ------ Water Const.
Hessen Cassel Rd. (prkstrp)- Water Const.
Indiana Ave. ------------ Troy Wilson
Old Brook Dr. (bore -
parkstrip) ----- Water Const.
Illinois Rd. (Old) ------------ NIPSCO
rie Grove & Beaty NW cor. ----- NIPSCO

ived Contract, Guaranty and
ility Bonds of A. Grosjean & Son,
he amount of $8,252.50, prepared by
City Engineering Department signed by
Cincinnati Insurance Company for Alley
ovement Resolution No. 5550-1970 to im-
alley between Madison Street and Lewis
et from the west curb line of Monroe
et to the east curb line of Clay Street.

Approved.

ived Contract, Guaranty and
ility Bonds of Maumee Const. Corp.,
the amount of $9,138.17, prepared by
City Engineering Department signed by
American States Insurance Company for
alk Improvement Resolution No. 5619-1972
nstruct sidewalk on the north side of
lor Street from easterly pavement edge of
tage west curb line of Freeman Street.

Approved.

ived Contract, Guaranty and
ility Bonds of Maumee Construction
p., in the amount of $2,268.00, prepared
the City Engineering Department signed
he American States Insurance Company for
alk Improvement Resolution No. 5622-1972
onstruct sidewalk on the east side of
sen Cassel Road from south curb line of
lding Road to point approximately 515 feet
th thereof.

Approved.

eived a request from Snider High School,
Howe, 4816 Hartford Dr., for permission
hold a parade on Friday, October 13, 1972,
6:25 p.m. to 8:00 p.m. - start at Snider
School parking lot - turn south on Reed
d to Vance Avenue; then west on Vance Avenue
Parnell Avenue; then south on Parnell Avenue to
te Street; then west on State Street to St.
seph Boulevard; then north to North Side High
ool parking lot. There will be approximately
00 participants.
POSE: Home-Coming Parade.

Approved and permit issued.

Meeting adjourned at

D. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

TEST:

Smith, Clerk

Thursday, October 12, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar,
W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Tuesday, October 10, 1972 at 9 a.m.; also Minutes of Meeting held Thursday, October 12, 1972 at 9 a.m.

1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

   Declaratory Improvement Resolution No. 1319-1972, for the condemnation of right-of-way for street purposes across the north five (5) feet of Lots 37 to 40 inclusive, J. H. Feichter's Garden View Addition, being along the south side of State Boulevard.

CONFIRMED and ordered sent to the Department of Finance.

2. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

   Alley Improvement Resolution NO. 5606-1972, to improve the alley between Glenwood Avenue and Vance Avenue from the east property line of Carew Street to the west property line of Rolston Street.

The Board determined the benefits as indicated.

Ordered the City Engineering Department to prepare Final Assessment Roll.

3. HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

   Sidewalk Improvement Resolution NO. 5451-W-1968, Block 18, to reconstruct sidewalk and curbing on Downtown Sidewalk.

The Board determined the benefits as indicated.

Ordered the City Engineering Department to prepare Final Assessment Roll.

4. Received copy of Quit-Claim Deed, whereby the City of Fort Wayne releases and quit-claims to the State of Indiana for improvement of State Road #327 and Cook Road the following described real estate:

   Part of Lot #1 in Springwood Addition, Section I to the City of Fort Wayne, Allen County, Indiana, more particularly described as follows:

   > Beginning at the northwest corner of said Lot #1; thence east, a distance of 25 feet; thence in a southwesterly direction a distance of 47.2 ± feet, to a point on the west property line of said Lot #1; thence north along the west property line of said Lot #1, a distance of 40 feet, to the point of beginning.

   Instrument F-7188 (S-80-72)

Said document recorded October 4, 1972. Instrument 7188 is filed in the Board of Public Works under Deed Copies.

ved copy of Quit-Claim Deed whereby
ity of Fort Wayne releases and
-claims to the State of Indiana for
verent of State Road #327 and Cook
the following described real estate:

of the North half of the Northeast
r of Section 14, Township 31 North,
12 East, Allen County, Indiana,
ribed as follows:

nning south 89 degrees 35 minutes 00
ds east 2,644.30 feet along the north
of said half-quarter section and south
grees 14 minutes 00 seconds east 40.00
along the west boundary of S. R. 327
the northwest corner of said half-
er section; thence south 0 degrees 14
tes 00 seconds east 572.34 feet along
west boundary; thence south 11 degrees
inutes 36 seconds west along said west
dary; thence north 0 degrees 14 minutes
econds west along a line 20.00 feet from
parallel to the said west boundary
0 feet; thence north 49 degrees 21
tes 36 seconds west 60.75 feet; thence
h 89 degrees 35 minutes 00 seconds east
feet to the point of beginning, con-
ing 0.307 acres, more or less.

trument F-7189. (S-69-72).

Said document recorded October 4, 1972. Instrument 7189 is filed in the Board of Public Works under Deed Copies.

eived a request from Mrs. William R. Clark, Jr.,
West Oakdale Drive, for permission to barricade
00 - 600 block of West Oakdale Drive from
rfield to South Wayne on Tuesday, October 31, 1972
4:00 p.m. to 6:30 p.m.
OSE: Block Party.

Approved and permit issued.

RESOLUTION NO. 59-11-7

uant to a legal opinion rendered by the City Attorney on September 29, 1972, the Board,
ritten communication, requested the Committee on Public Works of the Common Council to
thdraw Bill S-72-09-05 (Agreement with National Cash Register).

proved and on file in the Board of Public Works under Miscellaneous Resolutions.

Meeting adjourned at 3:38 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

TEST:

na L. Smith, Clerk

Monday, October 16, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Thursday, October 12, 1972 at 9 a.m. also minutes of meeting held Thursday, October 12, 1972 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

SWC Agnes Street ------------- Hawk Const.
4125 Arlington ---------- J. D. Von Gunten
1939 Bayer -------------- Ronald E. Warner
2324 Brooklyn Ave. ------ Ned Keener Const.
2314 Brooklyn Ave. ------ Charles Leffers
1614 Cherokee ---------- Robert Houser
1811 Crescent ---------- Ned Keener Const.
Harmer St.(Harmer School) - Ned Keener Const.
Jefferson St.(Harmer School)Ned Keener Const.
1303 Kensington ---------- Robert Houser
2614 Raymond St. --------- Ned Keener Const.
2610 Raymond --------- Ned Keener Const.
State & Sherman --------- Robert Houser
SWC Warsaw ----------- Hawk Const.
2506 S. Wayne Ave. ------- Ned Keener Const.
2502 S. Wayne Ave. ------- Ned Keener Const.

4. Received Driveway application.

Approved and permit issued.

2105 St. Joe Blvd. ------ Ned Keener Const.

5. Received street cut applications.

Approved and permits issued.

6103 Bluespruce Ct. ------ Delagrange Homes.
116 West Columbia --------------- NIPSCO
421 Dalgren --------------- Earl Baker
Deforest N/Allegany -------- NIPSCO.
4039 Eicher (bore - -------- Water Const.
3350 Elmhurst Drive -------- NIPSCO
311 Esmond --------------- NIPSCO
5217 & 5207 Fernwood ----- Earl Baker

15 Fernwood (bore -
parkstrp) --- Water Const.
17 Fernwood (cut - bore
and prkstrp) --- Water Const.
22 Forest (prkstrp) - Water Const.
57 Indiana Ave (bore -
parkstrp) --- Water Const.
Kentucky --- NIPSCO
0 Kiwanis --- NIPSCO
60 Lake --- NIPSCO
Merkler Dr. (bore -
parkstrp) --- Water Const.
06 New Haven ----- NIPSCO
cor. New Haven and Bueter
Road ----- NIPSCO
wport, Ridgewood, Parkhill - NIPSCO
016 Kiwanis -------- NIPSCO
00 Old Trail Rd. --- NIPSCO
rnell Avenue ---- Street Engr.
13 Prairie Grove --- NIPSCO
006 Shannon Drive --- NIPSCO
014 Shannon Dr. --- NIPSCO
022 Shannon Dr. --- NIPSCO
annon and Kiwanis E/Neighbor-NIPSCO
125 Sheraton (prkstrp)- Water Const.
117 Sherman ------ Earl Baker
431 E. State (bore -
parkstrp) --- Water Const.
31 Ventura Lane (prkstrp)--
------------- Water Const.
lley) rear 719 E. Washington Blvd. -
------------- NIPSCO
shington Center Road -(West
of U. S. 27) --- NIPSCO
313 W. Wayne --------Bercot-Gibson

eceived Declaratory Resolution NO. 325-1972, final plans and property nership list, prepared by the Street gineering Department for the vacation f the alley between Bowser Avenue and olton Avenue from the north property ine of the first alley north of reighton Avenue to the south property ine of the second alley north of reighton Avenue.

Approved and adopted. A true copy of which Resolution NO. 1325-1972 is incorporated by reference herein and appears in minutes herein, under Resolution No. 1325-1972.

CONFIRMED.

Ordered the City Engineering Department to prepare Assessment Roll of Benefits and Damages.

AIVER on the Resolution of Improvement s signed by the property owner (City of ort Wayne Redevelopment Commission).

Waiver of notice of public hearings is incorporated by reference herein, is filed in folder with Resolution No. 1325-1972.

eceived Local Sewer Improvement Resolution . 863-1972, final plans, estimate, specications and property ownership list, preared by the Water Pollution Control Engineering Department for sewer commencing at an xisting structure on the St. Mary's Interceptor, Resolution No. 214, 390 ± feet orthwest of the Stellhorn Bridge on the est side of the St. Mary's River and 650 ± eet east of Winchester Road; thence, outheasterly 12 ± feet to a proposed manhole; thence, WEsterly 301 ± feet; thence Southwesterly 450 ± feet to a proposed manhole, 7 ±

Approved and adopted. A true copy of which Resolution No. 863-1972 is incorporated by reference herein and appears in minutes herein, under Resolution No. 863-1972.

Advertise, Notice to Property Owners, October 20 & 27, 1972.

Hearing on Confirmation Thursday, November 9, 1972 at 3:30 p.m.

Notices to be mailed on October 27, 1972.

feet West of the West right of way of Winchester Road and 560 ± feet North of the Lower Huntington Road; thence, Northwesterly a distance of 101 ± feet; thence, Southwesterly 540 ± feet to a proposed manhole #6, 32 ± feet south of the centerline of Lower Huntington Road and 338 ± feet West of the Northwest corner of Lot No. 7 in Boggs Orchard Terrace Addition; thence, Westerly in and along a proposed easement parallel to Lower Huntington Road a distance of 349 ± feet terminating at a proposed manhole 32 ± feet South of the centerline of said road.

Lateral A

Commencing at the above mentioned proposed manhole No. 6; thence, Southeasterly in and along a proposed easement 338 ± feet to a point on Lot No. 7 of the above mentioned addition 7 ± feet East of the West property line; thence, Southwesterly in and along a proposed easement and parallel with the West property line of Lot No. 7 a distance of 196 ± feet to a point on the South line of Lot No. 8, 7 ± feet East of the West property line; thence, Southeasterly 460 ± feet along the South property line of Lot No. 8 terminating in Kinnerk Road 5 ± feet West of the West property line of Lot No. - 33 in Allison's Suburban Addition.

Lateral B

Commencing at a proposed manhole 7 ± feet West of the West right-of-way of Winchester Road and 560 ± feet North of the intersection of Lower Huntington Road; thence, South easterly in and along a proposed easement a distance of 355 ± feet terminating at a proposed manhole 7 ± feet West of the West right of way of Winchester Road.

Said sewers to be 8 and 12 inches in diameter (Easement Resolution No. 113-1972)

8. Received Sewer Easement Resolution No. 113-1972 (Temporary & Permanent), final plans and property ownership list, prepared by the Water Pollution Control Engineering Department for the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Richardville Reserve and the southwest 1/4 of Section 26, Township 30 North, Range 12 East and the northwest 1/4 of Section 35, Township 30 North, Range 12 East, bounded by the St. Mary's River on the East, the Baer Field Throughway on the west, and 600 ± feet north and south of the Lower Huntington Road.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a temporary and permanent sewer easement along and across a portion of Richardville Reserve and the southwest 1/4 of Section 26, Township 30 North, Range 12 East and the northwest 1/4 of Section 35, Township 30 North, Range 12 East, bounded

Approved and adopted. A true copy of
Resolution No. 113-1972 (Temporary and
Permanent Easement) is incorporated by
reference herein and appears in Minutes
herein, under Easement Resolution No.
113-1972.

Advertise, Notice to Property Owners, October 20 & 27, 1972.

Hearing on Confirmation Thursday, November 9, 1972 at 3:30 p.m.

Notices to be mailed on October 27, 19

y the St. Mary's River on the east, the er Field Throughway on the west, and 600 ± eet north and south of the Lower Huntington oad, more particularly described as follows:

ermanent Easement

n easement 14 feet uniform in width on a centerline more particularly described as: Commencing at a point on the centerline of the Lower Huntington Road projecting northeasterly across the Stellhorn Bridge and 22 feet southwest of the southwest end of said bridge; thence, deflecting left 92° 2' a distance of 388.7 feet to the POINT OF BEGINNING; said point being the existing structure on the St. Mary's Interceptor sewer; thence, deflecting left 85° 11' a distance of 8.4 feet; thence, deflecting right 31° 29' a distance of 309 feet, thence deflecting left 36° 58' a distance of 414.65 feet; thence, deflecting right 44° 39' a distance of 100.9 feet; thence, deflecting left 76° 32' a distance of 202.05 feet to a point on the southeasterly line of Lot 6 in J. Godfrey's Partitions and the northwest corner as recorded in Deed Record 586, Page 216-17; thence, deflecting right along said southeasterly line of Lot 6 to the intersection of the north right of way of Lower Huntington oad and the southeast corner of the Don R. entis property as described in Deed Record 697, Page 547.

Also, the east 14 feet of the property now or formerly owned by Robert P. Criswell as recorded in Deed Record 559, Page 519-20 and lying immediately adjacent to the west right-of-way line of Winchester Road.

Also, the east 14 feet of the property now or formerly owned by National Oil Corporation as recorded in Deed Record 586, Page 216-17 and lying immediately adjacent to the west right of way line of Winchester Road.

Also, the east 14 feet of the property now or formerly owned by National Oil Corporation as recorded in Deed Record 564- Page 139-40 and lying immediately adjacent to the west right of way line of Winchester Road.

Also, the north 14 feet lying adjacent to the south right of way of Lower Huntington Road along and across the portions of Lot 5 in J. Godfrey's Partitions as described in Deed Record 718, Page 206 and Deed 325, Page 332.

Also, the west 14 feet of Lot 7 in Boggs Orchard Terrace Addition.

Also, the west 14 feet of Lot 8 in Boggs Orchard Terrace Addition.

Also, the south 7 feet of Lot 8 in Boggs Orchard Terrace Addition.

Also, the north 7 feet of Lot 9 in Boggs Orchard Terrace Addition.

All as set forth on the attached drawing.

Temporary Easement

An easement 30 feet uniform in width lying immediately adjacent to the north and/or right side of the above described permanent easement from the point of beginning to its intersection with the east right-of-way of Winchester Road.

Also, an easement 30 feet uniform in width lying immediately adjacent to the east and/or left side of the above described easement from a point on said permanent easement 82.05 feet north of the northwest corner of the porperty now or formerly owned by the National Oil Corporation as recorded in Deed Record 586, Page 216-17 to the south intersection with the north right of way of Lower Huntington Road.

Also, the east 30 feet of the west 44 feet of Lot 7 in Boggs Orchard Terrace Addition.

Also, the east 30 feet of the west 44 feet of Lot 8 in Boggs Orchard Terrace Addition.

Also, the south 30 feet of the north 37 feet of Lot 9 in Boggs Orchard Terrace Addition.

All as set forth on the attached drawing.

The temporary easement to expire one (1) year from the date of execution.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof.

All streets, lots and land affected by the above described condemnation are situated in the Richardville Reserve (Southwest 1/4, Section 26, Township 30 North, Range 12 East) and Richardville Reserve (Northwest 1/4, Section 35, Township 30 North, Range 12 East). (Sewer Imp. Res. No. 863-1972)

9. Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of Bercot, Inc. with Guaranty Bond in the amount of $550.00 signed by the American States Insurance Company for Council Drive Sanitary Sewer Extension to serve Wayne Tool and Design.

Approved.

Ordered acceptance letter written.

eceived a petition for the construction of sanitary sewer on Freeman Street and ovington Road - Geneva Street - Freeman treet intersection south to Covington oad thence east to the railroad.	Ordered the Water Pollution Engineering Department to prepare preliminary plans, estimate and all details necessary for the improvement.
eceived a request from G. W. Griffin onstruction Co., 5007 S. Fairfield, for ermission to close Pontiac Street from alhoun to Harrison Streets beginning on aturday, October 14, 1972 to Sunday, ctober 15, 1972 from 6:00 a.m. to :00 p.m. URPOSE: To demolish Alpine Grill uilding.	Approved and permit issued.
eceived Sewer Agreement between Lake orest Garden Apartments, % Jehl Brothers, nc., and the City of Fort Wayne, Indiana, o construct Sanitary Sewer Extension o serve Georgetown Square Extended. oard Order No. 185-1972.	Approved. A true copy of which Sewer Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Sewer Extension.

RESOLUTION

e: Federal Grant Acceptance
(Project WS-IN-05-36-1001 Harvester Drain)

ursuant to Grant Agreement Contract No. H(502)-7006 dated October 16, 1972, from the U. S. epartment of Housing and Urban Development, tendering a grant offer in the amount of 538,738.00 or 50% of final approved cost whichever is less, on Project WS-IN-1001 (Constructing and/or reconstructing 7,570 feet of 12-inch through 108-inch diameter relief sewers and 4,000 feet of open drain to effect Harvester Drain Storm Relief Plan), the Board of Public Works of the City of Fort Wayne hereby authorizes the acceptance of said grant offer.

E IT RESOLVED, that Jerry D. Boswell, Chairman of the Board of Public Works, be and he is ereby authorized and directed to execute such instrument or document in behalf of the City of Fort Wayne, Indiana, accepting the grant offer and make the assurances contained herein. The aforesaid signatory is further authorized to execute any subsequent documents ertaining to said Federal Grant.

Ordered sent to the Common Council Tuesday, October 24, 1972 at 8:00 p.m.

ELETE: (Constructing and/or reconstructing 7,570 feet of 12-inch through 108-inch diameter relief sewers and 4,000 feet of open drain to effect Harvester Drain Storm Relief Plan).

REPLACE WITH: (Improving the Harvester Ditch).

Meeting adjourned at 10:15 a.m.

rdered sent to the Common Council uesday, December 5, 1972 at 8 p.m.

Jerry D. Boswell
Ronald L. Bonar

BOARD OF PUBLIC WORKS

TTEST:
Edna D. Smith
na D. Smith, Clerk

Wednesday, October 18, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Monday, October 16, 1972 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

1701 Cherokee ------- Schenkel & Sons, Inc.
1717 Meridian ------- Schenkel & Sons, Inc.
SWC Rumsey & Cherokee - Schenkel & Sons, Inc.

Approved and permits issued.

4. Received street cut applications.

4825 Coldwater Road (prkstrp) - Water Const.
Eliza & alley North - ---------- NIPSCO
Hugh - E/Hanna ---------------- NIPSCO
Kentucky (State to Vance) ------ NIPSCO
Parnell Ave. /Spy Run --- Elec. Engr. Dept.
433 L. Huntington Rd. (prkstrp) Water Const.
Sherman S/Burgess --------- Water P. C.
2812 Sundale (bore & prkstrp) - Water Const.
1826 E. Wayne ---------------- NIPSCO

Approved and permits issued.

5. Received Declaratory Resolution NO. 1324-1972, final plans and property ownership list, prepared by the City Engineering Department for the vacation of the alley between Wabash Avenue and Glasgow Avenue from the south property line of Washington Boulevard to the north property line of Humphrey Street.

WAIVER on the Resolution of Improvement is signed by the property owner (Falstaff Brewing Corporation).

Approved and adopted. A true copy of which Resolution No. 1324-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1324-1972.

Ordered the City Engineering Department to prepare Assessment Roll of Benefits and Damages.

Waiver of notice of public hearings is incorporated by reference herein, is filed in folder with Resolution NO. 1324-1972.

eceived Declaratory Resolution NO. 1323-1972, inal plans and property ownership list, preared by the City Engineering Department for e vacation of Wabash Avenue from the south operty line of Washington Boulevard to the orth property line of Humphrey Street.	Approved and adopted. A true copy of which Resolution No. 1323-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1323-1972. Ordered the City Engineering Department to prepare Assessment Roll of Benefits and Damages.
IVER on the Resolution of Improvement s signed by the property owner (Falstaff rewing Corporation).	Waiver of notice of public hearings is incorporated by reference herein, is filed in folder with Resolution No. 1323-1972.
eceived Final Assessment Roll prepared by the ity Engineering Department for Alley Improveent Resolution No. 5606-1972 for improvement f the alley between Glenwood Avenue and Vance venue from the east property line of Carew Street o the west property line of Rolston Street.	CONFIRMED and ordered sent to the Department of Finance.
eceived Final Assessment Roll prepared by the ity Engineering Department for Sidewalk mprovement Resolution No. 5451-W-1968, lock 18, Downtown Sidewalk.	CONFIRMED and ordered sent to the Department of Finance.
eceived inspection report and Primary ssessment Roll prepared by the City Engineering Department for Sidewalk Improvement Resolution o. 5451-X for improving the sidewalk in Block 0 of the Downtown Sidewalk Project bounded by erry Street on the north, Calhoun Street on the ast, Wayne Street on the south and Harrison Street on the west, except Lot 513 and 514, Hanna's Addition, Lot 104, Original Plat, Lot 2 Sub. of ot 106, Original Plat and Lot 105, the east 5 feet S. 20 feet of the north 50 feet, Original Plat.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment October 26 and 27, 1972. Hearing on Confirmation of Assessment Roll Thursday, November 16, 1972 at 3:30 p.m. Notices to be mailed October 26, 1972.
Received Partial Payment No. 1, for $17,184.98, of John Dehner, Inc., for work performed on Sewer esolution No. 264 U. S. 30 Bypass Storm Drain, urchase Order No. 10633.	Approved and ordered invoice of John Dehner, Inc. for $17,184.98 paid from the Sewer Relief Fund.
eceived a request from John Dehner, Inc. 1206 lark Street for permission to barricade the 3700 lock of Wells Street between Franke Park Drive and Coliseum Boulevard on Wednesday, October 18, 1972 and Thursday, October 19, 1972 from 9 a.m. to 4 p.m. PURPOSE: To repair broken field tile.	Approved and permit issued.

12. Received a request from LaDoyt Rodeheaver, P. O. Box 883, for permission to block the 1100 block of Webster Street at Jefferson Street and Lewis Street from 6:30 p.m. to 11:00 p.m. on the following dates:

Friday, October 20, 1972
Saturday, October 21, 1972
Thursday, October 26, 1972
Friday, October 27, 1972
Saturday, October 28, 1972
Monday, October 30, 1972
Tuesday, October 31, 1972

PURPOSE: Halloween Tour of Haunted House.

Approved and permit issued.

13. Re: Sewer Improvement Resolution No. 279-1972 Large Scale Demonstration of Treatment of Storm-caused Overflow 11020 GYU.

Pursuant to tentative award of contract made to Bowen Engineering Corp. on September 12, 1972, which was conditioned on EPA and City Council approval, the Board now makes the final award to Bowen Engineering Corp. in the amount of $1,292,024.00

Approved.

Meeting adjourned at

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith
Edna I. Smith, Clerk

Thursday, October 19, 1972

epartment of Public Works
ffice of the Board
oom 910, City-County Building
egular meeting held at 3:30 p.m.

. D. Boswell, R. L. Bonar, W. G. Williams
dna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
W. G. Williams
Edna I. Smith, Clerk

ntinued from September 28, 1972
EARING ON CONFIRMATION

ewer Improvement Resolution No. 860-1972 or storm sewer along Alma Avenue commencing an existing manhole located 1,050 ± ineal Feet West of the intersection of the enterline of Alma Avenue and Vera Drive; hence, continuing East within the right f way of Alma Avenue a distance of 1,300 ± ineal Feet to its terminus at a proposed anhole.

ll properties are located in the Northeast uarter of Section 33, Township 30 North, ange 12 East.

Said Sewers shall be 12 inches and 15 inches in diameter.

ALL ACTION RESCINDED.

Continued from September 28, 1972
HEARING ON CONFIRMATION

Sewer Easement Resolution NO. 110-1972 for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a space now or formerly owned by Bridges and Bridges Properties as recorded in Deed Record Book 692, Page 560 - 63. All located in the Northeast 1/4 of section 33, Township 30 North, Range 12 East.

ALL ACTION RESCINDED.

3. HEARING ON CONFIRMATION Sewer Easement Improvement Resolution No. 114-1972 for the condemnation of rights of way for permanent easement purposes across, through and under a portion of space, located on Lots 7, 8 and 9 of Elizabeth Hannas Subdivision as recorded in Deed Book 105, Page 225, generally bounded on the North by Curdes Avenue, on the East by Kentucky Avenue, on the South by Charlotte Avenue and on the West by the West property line of Lot 7 of said Elizabeth Hannas Subdivision, more particularly described as follows: PERMANENT EASEMENT: The North 5 feet of the South 144.5 feet of Lots 7, 8 and 9 of Elizabeth Hannas Subdivision as recorded in Deed Book 105, Page 225.	CONFIRMED. Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.
4. Received a petition for the installation of City Water to serve properties on Elmdale Drive.	Ordered the Water Engineering Department to prepare preliminary plans, estimate and all details necessary for the improvement.
5. Received the Plat of Arlington Park Section III submitted and approved by the City Plan Commission.	Approved.
6. Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation in the amount of $16,768.90, prepared by the City Engineering Department, signed by the Trinity Universal Insurance Company for Street Improvement Resolution No 5626-1972 for construction Dunnwood Drive from the westerly pavement edge of Spy Run Avenue Extended to a point approximately 200 feet west thereof.	Approved.
7. Received Special Sewer Permit for Spy Run Enterprises, Inc. prepared by and approved by the Water Pollution Control Engineering Department, and Performance Bond of Hipskind Asphalt Corporation to construct sanitary sewer extension known as Ardmore Avenue (1,223 Feet South Quarter Section Line - 28) Extension. Bond in the amount of $2500.00.	Approved and Special Sewer Permit issued.

/

ceived a request for permit from st Main Nazarene Church - Caravan Club, 10 Shannon Drive, New Haven, Indiana hold a parade on Saturday, October 21, 1972 r 2:30 p.m. to 3:00 p.m. ute: West Main Street - Nazarene Church to sage, Richardson, Howell, Mechanic, Watkins, one and then return to the church. rmit requested by Nancy England. RPOSE: Parade of Caravan Club.	Approved and permit issued.
ceived a request from Northern Indiana Public rvice, 1501 Hale Ave., % M. P. Stein, to rricade the alley east of St. Joe Boulevard om Tennessee Avenue south to Oneida... Monday, ctober 23, 1972 to Friday, October 27, 1972 rom 8:00 a.m. to 4:30 p.m. RPOSE: To install gas main.	Approved and permit issued.

Meeting adjourned at 4:15 p.m.

D. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Ed a I Smith, Clerk

Tuesday, October 24, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

Meeting postponed until 4:00 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received Minutes of Meeting held Wednesday, October 18, 1972 at 9 a.m.; also Minutes of Meeting held Thursday, October 19, 1972 at 3:30 p.m.	
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of the City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk applications. 901-925 W. DeWald ----------- Park Board	Approved and permit issued.
4. Received street cut applications. 6719 Beaty --------------------- NIPSCO 2632 Covington Club Ct. (prkstrp)- Water Const. 438 Dalman ----------------------- NIPSCO 431, 433 and 521 Dunnwood Ave. --- NIPSCO 700 Hanover N/Berry St. ----------- NIPSCO 3203 Reynolds ------------------- NIPSCO 4116 Richfield Lane (bore - parkstrip) ----------- Water Const. 4220 Richfield Lane (bore - parkstrip) ----------- Water Const. 625 Taylor St. ------------------ NIPSCO 5220 Webster ------------------ NIPSCO 3600 Wells St. ------------- John Dehner, Inc.	Approved and permits issued.
5. Received Assessment Roll of Benefits and Damages, prepared by the City Engineering Department for Declaratory Resolution NO. 1325-1972, for the vacation of the right of way of the alley between Bowser Avenue and Holton Avenue from the north property line of the first alley north of Creighton Avenue to the south property line of the second alley north of Creighton Avenue.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served November 3, 1972. Hearing on Confirmation of Assessment Roll Thursday, November 16, 1972 at 3:30 p.m.

eived Declaratory Improvement Resolution NO.
-1972, final plans and property ownership
t, prepared by the City Engineering Depart-
nt for the vacation of Riverview Drive from
e easterly right of way line of Edgewood
enue to the westerly right of way line of
inton Street.

Approved and adopted. A true copy of which Resolution NO. 1326-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1326-1972.

Advertise, Notice to Property Owners, October 27 and November 3, 1972.

Hearing on Confirmation, Thursday, November 16, 1972 at 3:30 p.m.

Notices to be mailed November 3, 1972.

eceived Sewer Improvement Resolution NO.
7-1972, final plans, estimate, specifications
property ownership list, prepared by the
ter Pollution Control Engineering Department
Branch Sewer: beginning at an existing manhole
ated 7 ± South of the North property line of Franke
k and 66 ± feet West of the centerline of Spy
Creek; thence East along the North property
ne of Franke Park a distance of 1,578 ± lineal
et to a proposed manhole located near the South-
st corner of Lot #74 of Trixholme Addition,
ction "D", as recorded in Plat Book 22, Page 3;
ence Southeasterly a distance of 620 ± lineal
et to a proposed manhole located in Morrow Way
ive 15 ± lineal feet South of the most Southerly
int of space now or formerly owned by Thomas
and Susan Murphy, as recorded in Deed Book
9, Page 144, thence East a distance of 452 feet,
minating at a proposed manhole located 17 ±
neal feet North of and 14± lineal feet East
the Northeast corner of Lot #8 of Trixholme
dition, Section "A", as recorded in Plat
ok 17, Page 121.
ATERAL "A":
ginning at a proposed manhole located on the
rth property line of Franke Park at Station
+ 18 on aforedescribed Branch Sewer, said
cation more particularly described as being
cated 126.75 feet East of the Southwest corner
space now or formerly owned by Arlington
vestment Corporation, as described in Deed
ok 694, Page 432-33; thence turning North an
gle of 90 degrees from said North property
ne of Franke Park, and projecting a distance
155 ± lineal feet, terminating at a proposed
lkhead.
ATERAL "B"
ginning at a proposed manhole located on the
rth property line of Franke Park at Station
+ 38 on aforedescribed Branch Sewer, said
cation more particularly described as being
cated 446.75 feet East of the Southwest
rner of space now or formerly owned by
lington Investment Corporation, as describ-
in Deed Book 694, Page 432-33; thence
rning North an angle of 90 degrees from
said North property line of Franke Park, and
ojecting a distance of 155 ± lineal feet,

Approved and adopted. A true copy of which Resolution No. 857-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 857-1972.

Advertise, Notice to Property Owners, October 27 and November 3, 1972.

Hearing on Confirmation, Thursday, November 16, 1972 at 3:30 p.m.

Notices to be mailed November 3, 1972.

terminating at a proposed bulkhead.

LATERAL "C"

Beginning at a proposed manhole located on the North property line of Franke Park at Station 10 + 58 on aforedescribed Branch Sewer, said location more particularly described as being located 776.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155 ± lineal feet, terminating at a proposed bulkhead.

LATERAL "D"

Beginning at a proposed manhole located 15 ± lineal feet South of the Southwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence North along the West property line of said Lot #74 to a proposed manhole located within the right-of-way of Louisedale Drive 15 ± lineal feet North of the Northwest corner of said Lot #74; thence East 15 ± lineal feet North of and parallel to the South right-of-way of Louisedale Drive, terminating at a proposed manhole located 4 feet East of and 15 ± lineal feet North of the Northwest corner of Lot #15 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "D-1":

Beginning at a proposed manhole within Louisedale Drive right of way located 15 ± lineal feet North of the Northwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence West 228 ± lineal feet, terminating at an existing manhole located 25 ± lineal feet West of and 15 ±lineal feet North of the Northwest corner of Lot #76 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

LATERAL "D-2":

Beginning at a proposed manhole located within Louisedale Drive right of way 28 ± lineal feet West of and 16 ± lineal feet North of the Northeast corner of Lot #73 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence due North 15 ± lineal feet West of the East right of wa y line of Hampton Avenue 686 ± lineal feet, terminating at a proposed manhole located 15 ± lineal feet West of and 5 ± lineal feet North of the Southwest corner of Lot #62 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "D-3":

Beginning at a proposed manhole located 10 ± lineal feet East of and 10 ± lineal feet South of the centerline intersection of Louisedale Drive and Kentland Avenue; thence North 10 feet East of and parallel to the centerline of said Kentland Avenue 700 ± lineal feet, terminating at a proposed manhole located 35 ± lineal feet East of and 12 ± lineal feet North of the Southeast corner of Lot #44 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "E":

Beginning at a proposed manhole located within the right of way of Morrow Way Drive where it joins Sylvia Plaza; thence Southwesterly generally following the East right of way line of Sylvia

aza 680 ± lineal feet to a proposed manhole
cated within the right-of-way of Loch Lomond
ive 16 ± lineal feet South of and 7 ± lineal
et WEst of the Southwest corner of Lot #40
Trixholme Addition, Section "B", as
corded in Plat Book 18, Page 170; thence
sterly 16 ± lineal feet South of and parallel
the North right of way line of Loch Lomond
ive 540 feet, terminating at a proposed
nhole located 16 ± lineal feet South of and
± lineal feet East of the Southwest corner
Lot #1 of Trixholme Addition, Section "A",
s recorded in Plat Book 17, Page 121.

TERAL "F"
ginning at a proposed manhole within the
ght of way of Sherman Boulevard located
± lineal feet North of and 14 ± lineal feet
st of the Northeast corner of Lot #8 of
ixholme Addition, Section "A", as recorded
Plat Book 17, Page 121; thence Southerly
± lineal feet East of and parallel to
e WEst right of way line of Sherman
ulevard 516 ± lineal feet, terminating at
proposed manhole located 15 ± lineal feet
st of and 20 ± lineal feet South of the
rtheast corner of Lot #1 of Trixholme
dition, Section "A", as recorded in Plat
ok 17, Page 121.

TERAL "F-1":
ginning at a proposed manhole within the
ght of way of Sherman Boulevard located
± lineal feet North of and 14 ± lineal
et East of the Northeast corner of Lot #8
Trixholme Addition, Section "A", as re-
orded in Plat Book 17, Page 121; thence
orth generally along and parallel to the
est right of way line of Sherman Boulevard
80 ± lineal feet, terminating at a proposed
nhole located 11 ± lineal feet East of and
± lineal feet North of the Southeast
rner of Lot #14 of Trixholme Addition,
ction "A", as recorded in Plat Book 17,
age 121.

ll sewers shall be 8, 10, 12 and 15-inches in
ameter, and all located within the Northeast
uarter of Section 27, Township 31 North,
ange 12 East and lying fully within the
rporate limits of the City of Fort Wayne.

ewer Easement Resolution No. 115-1972 (PERMANENT
ND TEMPORARY) for the condemnation of a perma-
ent right of way for sewer easement purposes
ross, through and under a space bounded on
e North by Louisedale Drive on the East by
the East line of Lot #74 of Trixholme Addition,
ection "D", on the South by the North boundary
ne of Franke Park and on the WEst by the
st line of the Northeast quarter of Section
27, Township 31 North, Range 12 East.

esolved by the Board of Public Works of the
ity of Fort Wayne, Indiana, that it is desired
nd deemed necessary to condemn right of way
for sewer easement purposes across, through
nd under a portion of land bounded on the
orth by Louisedale Drive, on the East by
he East line of Lot #74 of Trixholme Addition,
Section "D", on the South by the North
boundary line of Franke Park and on the West
by the West line of the Northeast quarter of
Section 27, Township 31 North, Range 12 East
in Washington Township, more particularly
described as follows:

PERMANENT EASEMENT
1. The South 14 feet of the East 252.1 feet
of space now or formerly owned by Indiana
Franklin Realty Company, Inc., as described
by Deed Instrument #72-14223, said easement
lying immediately North of adjacent and
parallel to the North property line of
Franke Park.
2. The South 14 feet of space now or former-
ly owned by Arlington Investment Corporation,

Approved and adopted. A true copy of which Resolution No. 115-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 115-1972.

Advertise, Notice to Property Owners, October 27 and November 3, 1972.

Hearing on Confirmation, Thursday, November 16, 1972 at 3:30 p.m.

Notices to be mailed November 3, 1972.

as described in Deed Book 694, Page 432-33, said easement lying immediately North of adjacent and parallel to the North property line of Franke Park.

3. An easement 14 feet in uniform width lying 7 feet either side of the following described centerline on space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33, beginning at a point 126.75 feet East of the Southwest corner and on the South line of space as described in Deed Record Book 694, Page 432-33; thence, turning North an angle of 90 degrees 00 minutes from said South property line and projecting a distance of and terminating at 160.6 ± feet.

4. An easement 14 feet in uniform width lying 7 feet either side of the following described centerline on space now or formerly owned by Arlington Investment Corporation,as described in Deed Book 694, Page 432-33, beginning at a point 446.75 feet East of the Southwest corner and on the South line of space as described in Deed Record Book 694, Page 432-33; thence, turning North an angle of 90 degrees 00 minutes from said South property line and projecting a distance of and terminating at 160.6 ± feet.

5. An easement 14 feet in uniform width lying 7 feet either side of the following described centerline on space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33, beginning at a point 776.75 feet East of the Southwest corner and on the South line of space as described in Deed Record Book 694, Page 432-33; thence, turning North an angle of 90 degrees 00 minutes from said South property line and projecting a distance of and terminating at 160.6 ± feet.

6. An easement 7 feet in uniform width, being the East 7 feet of Lot #75 in Trixholme Addition Section "D", as recorded in Plat Book 22, Page 3.

7. An easement 7 feet in uniform width, being the West 7 feet of Lot #74 in Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

TEMPORARY EASEMENT

1. An easement 20 feet in uniform width lying immediately North, adjacent and parallel to said permanent easement described in paragraph number two above.

2. An easement 20 feet and 10 feet in uniform width lying immediately West and East respectively of said permanent easement described in paragraphs 3, 4 and 5 above.

3. An easement 20 feet in uniform width being the South 20 feet of Lots 74, 75, 76, 77, and 78 of Trixholme Addition, SEction "D", as recorded in Plat Book 22, Page 3.

4. The West 10 feet of the East 17 feet of Lot #75 in Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

5. The East 20 feet of the West 27 feet of Lot #74 in Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

All land affected lies within part of the Northeast quarter of Section 27, Township 31, North, Range 12 East.

s temporary sewer construction easement
ll expire one year from the date of
7-72
ption.

r Easement Resolution No. 116-1972
ORARY and PERMANENT) for the condemnation
a temporary and permanent sewer easement
construct, operate, control, maintain,
construct and remove a sewer line along and
oss a portion of Richardville Reserve
nchester Heights Addition, Section "A"
the Southwest 1/4, Section 35, Township
North, Range 12 East), bounded by Winchester
d on the East, Dunkelberg Road on the
th, and Wyss Drive on the West.

RMANENT EASEMENT

easement 15 feet uniform in width on a
nterline more particularly described as:

(A) Commencing at the Southwest corner of
nchester Heights Addition, Section "A";
ence on an assumed bearing of North
00' West a distance of 28 feet; thence,
rth 00° 00' West a distance of 91.2 feet;
nce, North 33° 30' West a distance of
2 ± feet; thence, a distance of 369.9
et along a 265 foot radius curve to the right;
nce, North 46° 30' East a distance of
0 ± feet to the point of beginning,
d point located on the WEst property line
Lot Numbered 8 in Winchester Heights
dition, Section "A" and 200.05 feet
uth of the Northwest corner of said lot;
ence, North 46° 30' East a distance of
0 ± feet terminating at a point located
the East property line of said Lot
bered 8 and 112.72 feet South of the
rtheast corner of Lot Numbered 8.

as shown on attached drawing.

) Also, an easement 15 feet uniform in
dth on a centerline more particularly
scribed as commencing at the Southwest
rner of Winchester Heights Addition,
ction "A"; thence, on an assumed bearing
North 90° 00' West a distance of 28 feet;
ence, North 00° 00' West a distance of
2 ± feet; thence, North 33° 30' West a
tance of 113.2 ± feet; thence, a distance
369.9 feet along a 265 foot radius curve
the right; thence, North 46° 30' East
distance of 500 ± feet to the point of
ginning, said point located on the West
perty line of Lot Numbered 7 in Winchester
ights Addition, Section "A" and 112.72 feet
uth of the Northwest corner of said lot;
ence, North 46° 30' East a distance of 105 ±
et terminating at a point located on the
st property line of said Lot Numbered 7
d 43.5 feet South of the Northeast corner
Lot Numbered 7.

l as shown on attached drawing.

Approved and adopted. A true copy of which Resolution No. 116-1972 is incorporated by reference, herein and appears in Minutes herein, under Resolution No. 115-1972.

Advertise, Notice to Property Owners, October 27 and November 3, 1972.

Hearing on Confirmation, Thursday, November 16, 1972 at 3:30 p.m.

Notices to be mailed November 3, 1972.

(C) Also, an easement 15 feet uniform in width on a centerline more particularly described as commencing at the Southwest corner of Winchester Heights Addition, Section "A"; thence, on an assumed bearing of North 90° 00' West a distance of 28 feet; thence, North 00° 00' West a distance of 91.2 feet; thence, North 33° 30' West a distance of 113.2 ± feet; thence, a distance of 369.9 feet along a 265 foot radius curve to the right; thence, North 46° 30' East a distance of 605 ± feet to the point of beginning, said point located on the West property line of Lot Numbered 6 in Winchester Heights Addition, Section "A" and 43.5 feet South of the Northwest corner of said lot: thence, North 46° 30' East a distance of 60 ± feet terminating at a point located on the North property line of said Lot Numbered 6 and 50.85 feet East of the Northwest corner of Lot Numbered 6.

All as shown on attached drawing.

(D) Also, an easement 15 feet uniform in width on a centerline more particularly described as commencing at the Southwest corner of Winchester Heights Addition, Section "A"; thence, on an assumed bearing of North 90° 00' WEst a distance of 28 feet; thence, North 00° 00' West a distance of 91.2 ± feet; thence, North 33° 30' West a distance of 113.2 ± feet; thence, a distance of 369.9 feet along a 265 foot radius curve to the right; thence, North 46° 30' East a distance of 759 feet to the point of beginning, said point located on the South property line of Lot Numbered 15 in Winchester Heights Addition, Section "A" and 60 feet East of the Southwest corner of said Lot; thence, North 46° 30' East a distance of 95 feet; thence, North 18° 19' East a distance of 105.3 feet to a point located on the South property line of Lot Numbered 16 in said addition and 209 feet East of the Southwest corner of said lot: thence, continuing North 18° 19' East a distance of 158.9 feet to a point located on the South property line of Lot Numbered 17 in said addition and 303.6 feet East of the Southwest corner of said lot; thence, continuing North 18° 19' East a distance of 95.9 feet; thence, a distance of 247.4 feet along a 265 foot radius curve to the right, terminating at a point located on the East property line of Lot Numbered 18 in said additon and 65 feet North of the Southeast corner of said lot.

All as shown on attached drawing.

TEMPORARY EASEMENT

An easement 20 feet uniform in width lying immediately adjacent to the South and East of the above described permanent easement in Paragraph (A).

so, an easement 20 feet uniform in width ing immediately adjacent to the South and st of the above described permanent sement in Paragraph (B).

so, an easement 20 feet uniform in width ing immediately adjacent to the South and st of the above described permanent sement in Paragraph (C).

so, an easement 20 feet uniform in width ing immediately adjacent to the South and st of the above described permanent ease- nt in Paragraph (D).

as shown on the attached drawing.

temporary easement to expire one (1) r from the date of execution.

l streets, lots and land affected by the ove described condemnation are situated the Richardville Reserve (Winchester ights Addition, Section "A" and the uthwest 1/4, Section 35, Township 30 rth, Range 12 East).

eived Plans and Specifications prepared the Water Engineer for Water Project 2-33, Contract 7015, the Hessen Cassel ad Distribution Feeder Main.

Approved.

Advertise, Notice to Contractors, October 30 and November 6, 1972.

Receive Bids Tuesday, November 14, 1972 at 9 a.m.

Ordered the Water Engineer to prepare Bid Documents.

Meeting adjourned at 5:00 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

T:

Smith

I. Smith, Clerk

Thursday, October 26, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

PRESENT:

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell
W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

1421 Broadway ------- Millburn Investment
W/ Lafayette & Berry ---- Hawk Const. Inc.
2025 Lynn Avenue -------- Donald Derrow
403 W. Masterson -------- Samuel Smith
2510 Princeton Dr. --- Leroy H. Kanning

4. Received street cut applications.

Approved and permits issued.

Anthony & Berry ---------- Water Const. Dept.
1616 Ardis Dr. ------------------ NIPSCO
1923 Bear Paw Dr. (prkstrp) -Water Const. Dept.
1104-06 E. Berry (2) -----Water Const. Dept.
1104-06 E. Berry (alley) ---------- NIPSCO
832 W. Berry (alley) ------------- NIPSCO
1019 S. Calhoun (2) ----- Water Const. Dept.
1319 S. Calhoun (alley) ---------- NIPSCO
1402-08 S. Calhoun (2) --- Water Const. Dept.
California Rd. & Parnell Ave
intersection ---------- NIPSCO
1206 Creighton -------------------- NIPSCO
5412 Dial Dr. (bore - parkstrp) Water Const.
100 Doan (bore - parkstrp) --- Water Const.
4852 Evard Rd. (bore - parkstrp) Water Const.
318 Edgewood ---------------------- NIPSCO
1019 Eliza (alley) --------------- NIPSCO
2710 Gay --------------------- NIPSCO
800 Hanover --------------------- NIPSCO
1512 Fairfield N. --------------- NIPSCO
Hobson Rd. ------------------------ NIPSCO
N/ Huffman E/ Franklin (alley) Ind. & Mich. Elec.
Hugh & Francis -------------------- NIPSCO
6801 Ideal --------------------- NIPSCO
7319 Ideal --------------------- NIPSCO

erson & Calhoun ---------- Water Const. Dept.
L. Huntington Rd. (parkstrp) - Water Const.
Masterson ------------- Water Const.
Maumee ------------- NIPSCO
McCormick ------------- Water Const.
McCulloch ------------- NIPSCO
McKee ------------- NIPSCO
echanic ------------- Water Const.
Miahqueah Ct. (prkstrp) -- Water Const.
Miahqueah Ct. (prkstrp) -- Water Const.
Mowhawa Dr. (bore -prkstrp) - Water Const.
Mowhawa Dr. (bore - prkstrp) - Water Const.
Northwood ------------- NIPSCO
Oak ------------- Water Const.
Parnell ---------- Land Excav. Inc.
Pine Valley ------------------ NIPSCO
Prairie Grove ----------------- NIPSCO
Reckeweg Rd. (prkstrp) -------Water Const.
Reserve Line Rd. ------------- NIPSCO
Riverway ------------- NIPSCO
Selkirk Dr. (prkstrp) ------- Water Const.

ived Assessment Roll of Benefits and Damages prered by the City Engineering Department for Declara- Improvement Resolution No. 1323-1972 for the tion of Wabash Avenue from the south property of Washington Boulevard to the north property e of Humphrey Street.	CONFIRMED and ordered sent to the Department of Finance.
ived Assessment Roll of Benefits and Damages prered by the City Engineering Department for Declarary Improvement Resolution No. 1324-1972 for the cation of the alley between Wabash Avenue and asgow Avenue from the south property line of ington Boulevard to the north property line Humphrey Street.	CONFIRMED and ordered sent to the Department of Finance.
mission was granted to Mrs. Smith, 4540 South Park ive, to block the 4500 Block of South Park Drive Sherwood Terrace and Congress Avenue on Saturday, tober 28 1972 from 12:00 Noon to 12:00 Midnight. RPOSE: Block Party.	Approved and permit was issued.
ceived a request from American Cancer Society, Webster Street, % James M. Woods, for permission hold a parade on Sunday, October 29, 1972 from a.m. to 5 p.m. The route is the existing city bike y from McMillen Park to Foster Park continuing from ster Park to Swinney Park on the newly authorized ke way extension. The route continues from Swinney rk thru Lawton Park and Memorial Park coming to a plete circle at McMillen Park. There will be proximately 1,000 participants. RPOSE: Fight against Cancer.	Approved and permit issued.

9.	Permission was granted to Charles Miller, 226 W. Main Street, to barricade Maiden Lane from Main Street to Pearl Street on Saturday, October 28, 1972 from 3:00 p.m. to 2:00 a.m. PURPOSE: Special performance in Theater Bar.	Approved and permit was issued.
10.	Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of Bercot-Gibson Construction Co., Inc., with Guaranty Bond in the amount of $1,020.00, signed by General Insurance Company, Inc., for Sanitary Sewer to serve Fort Wayne Library - Hessen Cassel Branch.	Approved. Ordered acceptance letter written.
11.	Received Partial Payment Estimate No. 4 from Scheele Construction Company, Inc., in the amount of $43,502.40 for Storm Water Overflow Demonstration - Resolution No. 260-1971.	Approved and ordered invoice of Scheele Construction, Inc., in the amount of $43,502.40, paid from the Sewer Relief Fund.
12.	Received Change Order No. 1 in the amount of $544.80 from John Dehner, Inc., for Water Contract No. 7206, Canterbury Green Feeder Main.	Approved.
13.	Received Invoice of John Dehner, Inc., in the amount of $42,657.85 (IN FULL) for Water Contract NO. 7206, Canterbury Green Feeder Main.	Approved and ordered City Utilities to pay invoice of John Dehner, Inc., in the amount of $42,657.85 from the Water Utility Fund.

14. RESOLUTION NO. 59-34-14

Re: CITY LIGHT RATE INCREASE

Pursuant to Petition to the Public Service Commission approved by General Ordinances G-07-72 and G-16-72 for a General Rate increase for the Electric Utility; same was approved by the Public Service Commission October 24, 1972 with new rate schedule effective October 25, 1972.

A true copy of the Certified Tariff is incorporated by reference herein and appears in Minutes herein under State of Indiana Public Service Commission of Indiana - Cause No. 32874.

Meeting adjourned at 9:25 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Tuesday, October 31, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular Meeting held at 9 a.m.

PRESENT:

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell and R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meeting held Tuesday, October 24, 1972 at 9 a.m.; also, Minutes of Meeting held Thursday, October 26, 1972 at 9 a.m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received private sidewalk applications.

Approved and permits issued.

1414 Eliza St. ----------- Joseph Lowery
021 Glenwood Ave. -- Tony Molargik Const.

Received driveway applications.

Approved and permits issued.

514 Cherokee ---------- Robert Houser
406 Pine Valley Dr.-Park State Homes, Inc.
18 Rexford ----------- Star Homes, Inc.
24 Wolverton Dr. ------ Michael Witmer
2503 Alma Avenue ------- Graham Const.

Received street cut applications.

Approved and permits issued.

6418 Amarilla Dr. (prkstrp) -- Water Const.
Barr & Berry SE cor. --------- NIPSCO
410 & 6420 Beaty ------------ NIPSCO
423 Bellmawr Lane (bore - parkstrp) --- Water Const.
612 S. Calhoun (alley) --- Gen. Tele. Co.
924 Calhoun ------------------- NIPSCO
7015 Elzey ------------------- NIPSCO
5309 Fernwood (bore - parkstrp) ----- NIPSCO
10 Grand St. ------------------ NIPSCO
atfield Rd. S/Washington Center Rd. --------- Ind. & Mich.
ake bet. Lake and Columbia ---- NIPSCO
427 E. Masterson ------------- NIPSCO
Newport at Ridgewood ---------- NIPSCO
705 Orlanda Dr. (parkstrp) -- Water Const.
Old Trail Rd. S/ L. Huntington Rd. -- ------ Gen. Tele. Co.
526 Packard ---------------- NIPSCO
006 Shannon (bore - parkstrp) Water Const.
014 Shannon (bore - parkstrp) Water Const.
4022 Shannon (bore- parkstrp) Water Const.
020 Schick --------------- Water Const.

1219 Sheridan Court (2) --- Water Const.
4117 Sherman (prkstrp) --- Water Const.
1609 Southdale --------------- NIPSCO
South Wayne (alley) --- Ind. & Mich. Elec.
6523 E. State (prkstrp) --- Water Const.
1312 Summit ------------ Water Const.
464 E. Taber ------------- NIPSCO
4232 Thorton Dr. (bore - prkstrp) --- Water Const.
Vance / Kentucky to Woodrow --- NIPSCO
Wayne (alley) bet. Beque & Combs - NIPSCO
1109 - 1111 E. Wayne ------------ NIPSCO
4838 Webster -------------------- NIPSCO
2607 Weisser Park --------------- NIPSCO
5018 - 5108 Woodmark (bore - parkstrip) -------- Water Const.

5. Received Assessment Roll of Benefits and Damages prepared by the Water Pollution Control Engineering Department for Easement Resolution No. 114-1972 for the condemnation of Existing Sanitary Sewer - all in Elizabeth Hanna's Subdivision.

Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

Notices to be served November 3, 1972.

Hearing on Confirmation of Assessment Roll Thursday, November 16, 1972 at 3:30 p.m.

6. Received Storm Sewer Extension Agreement between Cambridge Square of Fort Wayne II and the City of Fort Wayne, Indiana, to construct Storm Sewer Extension known as Cambridge Square of Fort Wayne II. Board Order No. 90-1972.

Approved. A true copy of which Storm Sewer Extension Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Storm Sewer Extension.

7. SEWER TAP AGREEMENT REIMBURSEMENT

Permission is hereby granted to Willard Knight, to tap a sewer to serve Center 101 ft. of lot #1 West Lincolndale Addition, 4801 Hatfield Road, Said permission is conditioned upon the payment of the sum of $460.41 to the City of Fort Wayne as reimbursement under a certain Sewer Agreement No. SC-64-3, dated the 19th of November, 1964, who are said parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Control Engineer, the Permit Room.

Approved.

Ordered the City Utilities to remit the sum of $460.41 to Alton P. Hower & Fortmeyer Truck Stop, Inc., which sum was deposited with the City by the applicant, to be distributed as set out in the Special Sewer Tap Agreement.

ceived Water Improvement Resolution No.
05-1972, final plans, estimate,
ecifications and property ownership list,
epared by the Water Engineering Depart-
nt for the south side of Homedale Drive,
om the west property line of Hessen Cassel
ad to the west property line of Lot #12,
lso on Waycross Drive, from the north
operty line of Lot #14, to the south
operty line of Lot #11, all in Hickory
ove Addition Section "A".

Approved and adopted. A true copy of which Resolution No. 1005-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1005-1972.

Advertise, Notice to Property Owners, November 8, 1972.

Hearing on Confirmation Thursday, November 16, 1972 at 3:30 p.m.

Notices to be mailed November 8, 1972.

ewer Tap Agreement Reimbursement:
ermission is hereby granted to Northill
orporation to tap a sewer to serve Phase 5 -
nterbury Green Shopping Center. Said
ermission is conditioned upon the payment of
e sum of $19,668.80, to the City of Fort Wayne
s reimbursement under a certain Sewer Agree-
nt SC-72-4, dated the 27th of January, 1972,
are parties of said contract, by the
ty of Fort Wayne; it is further conditioned
on a sewer tap being taken out with the Water
llution Control Engineering Department, the
ermit Room.

Approved.

Ordered the City Utilities to remit the sum of $19,668.80 to Riviera Plaza, Inc. which sum was deposited with the City by the applicant, to be distributed as set out in the Special Sewer Tap Agreement.

Meeting adjourned at 9:20 a.m.

James D. Boswell
Ronald L. Bonar

BOARD OF PUBLIC WORKS

TTEST:

Edna L. Smith
E[illegible] L. Smith, Clerk

Friday, November 3, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

2905 Gay Street --------------- James Brooks

Approved and permit issued.

4. Received street cut applications.

Approved and permits issued.

Anthony & Paulding intersection --- NIPSCO
1723 Andrew Ave. ------------------- NIPSCO
4015 S. Barr St. ---------------- NIPSCO
401 Bass St. ------------------ NIPSCO
1123 Cedar St. ------------------- NIPSCO
609 E. Creighton Ave. ------------- NIPSCO
2948 S. Hanna on Colerick St. ----- NIPSCO
453 to 541 Lasalle St. ------------ NIPSCO
6333 Centerton Dr. (prkstrp) -- Water Const.
6427 Centerton Dr. (prkstrp) -- Water Const.
2509 Chestnut St. ------------------ NIPSCO
3241 S. Clinton St. ------------ NIPSCO
1136 Chute St. (alley) ------------ NIPSCO
4920 Executive Dr. (prkstrp) -- Water Const.
1028 Elmwood (alley) ----------- NIPSCO
400 W. Fairfax ----------------- NIPSCO
3900 Fairfield Ave. (rear) - Gen. Tele. Co.
1119 Grant Ave. ------------------- NIPSCO
2245 Gay St. ---------------------- NIPSCO
3601 Hessen Cassel Dr. ------------ NIPSCO
Hobson Rd. at Eastwood Dr. -------- NIPSCO
5309 Hoagland Ave. ---------------- NIPSCO
735 High Street ------------------- NIPSCO
2136 John St. --------------------- NIPSCO
902 E. Jefferson St. -------------- NIPSCO
2415 Kenwood (alley) -------------- NIPSCO
729 E. Lewis St. ----------------- NIPSCO
1329 E. Lewis St. ----------------- NIPSCO
918 Loree (alley) ----------------- NIPSCO
1436 - 1440 Lillie St. ------------ NIPSCO
427 Masterson St. ----------------- NIPSCO
1136 McCulloch St. ---------------- NIPSCO

Received Purchase Order to General Electric Utility Sales in the amount of $59,940.00 for proposed delivery of numerous parts for General Electric Turbine No. 82297 at the Power Plant.

Approved and ordered City Utilities Purchase Order 7932 in the amount of $59,940.00, sent to the Common Council Tuesday, November 14, 1972 at 8:00 p.m.

Invitational Bids were not received because this is a General Electric Turbine and replacement parts can only be obtained from their Company.

In order to alleviate possible traffic congestion and to eliminate activity which would detract from the spirit of the season, the Board of Public Works of the City of Fort Wayne has decreed that there shall be no wrecking of buildings in the downtown area between December 15, 1972 and January 1, 1973.

Any wrecking work that has been started and not finished by December 15, 1972 shall be postponed until after January 1, 1973. Any new work shall not be started until after January 1, 1973.

The area affected by this decree is bounded on the north by Superior Street, on the west by Broadway, on the South by the Penn Central railroad and on the east by Clay Street.

Approved and ordered memorandum sent to the Building Department.

Received Agreement between Fort Wayne Newspapers, Inc. and the City of Fort Wayne, Indiana, whereby the Newspaper agrees to pay the City rental in the amount of ten dollars ($10.00) per year per unit for placement of Sidewalk Newspaper Vending Machines in the downtown area. Said Agreement effective November 1, 1972.

Approved and filed in office of Board of Public Works under Miscellaneous Agreements.

Received a request from L. S. Ayres & Company 201 E. Wayne Street, for permission to place ladders at various times in the street while decorating trees on Clinton and Wayne Streets on Saturday, November 4, 1972 through Wednesday, November 22, 1972; also removal of lights, (weather permitting) during the months of January, February, at least by the 1st of March.
PURPOSE: Installation of lights.

Approved and permit issued.

Received a request from Mrs. Olmstead - Wolf Grain of Indiana 404 Commerce Bldg., for permission to block the left hand lane of Berry Street in front of the Commerce Building on Saturday, November 4, 1972 from 9 a.m. to 12:30 p.m.
PURPOSE: Load truck for moving.

Approved and permit issued.

Meeting adjourned at 9:15 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna J. Smith

J. Smith, Clerk

Thursday, November 9, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meeting held Tuesday, October 31, 1972 at 9 a.m. also, Friday, November 3, 1972 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received driveway applications.

Approved and permits issued.

4619 Dodge Avenue -------- James Lepper
2916 Palisade Drive -------- S. E. Gildea
2200 L. Huntington Road --- Wayne Asphalt

4. Received street cut applications.

Approved and permits issued.

(alley) 1026 W. Berry ----------- NIPSCO
Calhoun & Berry Sts. --- Elec. Engr. Dept.
2728 Greenview (prkstrp) --- Water Const.
Ideal N/L. Huntington Rd. --------- NIPSCO
Hickory & Mulberry ---------------- NIPSCO
Hobson Rd. Locust Lane, Mayberry
St., Roseview Rd. & Plymouth St. -- NIPSCO
2317 McKinnie ----------------- NIPSCO
444 Merkler Dr. ------------ De R. Mfg. Co.
(alley) 1216 Monroe ------------ NIPSCO
4423 North Dr. (prkstrp) --- Water Const.
5320 Northcrest Dr. ------------ NIPSCO
2237 Oliver ------------------ NIPSCO
4805 Ottawa Dr. (prkstrp) --- Water Const.
4729 Ottawa Dr. (prkstrp) --- Water Const.
2512 Pleasant ----------------- NIPSCO
2916 Palisades Dr. (prkstrp) - Water Const.
Parnell Ave. N/River ----- City Util.
2424 Pleasant -------------- NIPSCO
6503 Pawawna Dr. (prkstrp) -- Water Const.
611 Pettit -------------- NIPSCO
Pennsylvania & Edsall ------ NIPSCO
302 E. Pontiac ------------ NIPSCO
2916 Palisade -------------- NIPSCO
2814 Reynolds -------------- NIpSCO
800 Rewill -------------- NIPSCO
3417 Rodgers -------------- NIPSCO

0 Runnion --------------Sewer Maintenance
Cor. State & Sherman Sts -- St. Engr.
ley) 1312 Summit -------------- NIPSCO
5 Sandpoint Rd. (bore -
prkstrp) ---------- Water Const.
dy Brook NW cor New Haven Ave. - NIPSCO
0 W. Runnion on Sinclair ----- NIPSCO
35 Spy Run ------------------ NIPSCO
24 Treatman ----------------- NIPSCO
02 Turpie (alley) ---------------- NIPSCO
29 Tirol Pass (prkstrp) --- Water Const.
8 Van Buren ------------------- NIPSCO
12 Voetter Dr. (prkstrp) --- Water Const.
lley) 506 E. Washington --------- NIPSCO
20 E. Wayne ------------------- NIPSCO
28 Wells ------------------- NIPSCO
0 E. Wildwood ------------------ NIPSCO
516 E. Wayne ------------------ NIPSCO
28 E. Wayne ------------------- NIPSCO
8 E. Wayne (alley) ------------ NIPSCO
rear) 333 E. Washington --- Gen. Tel. Co.
322 Winter St. ------------------- NIPSCO
1 Wabash ------------------- NIPSCO
111 E. Washington (alley) ------ NIPSCO
418 Zollars (1) Street ---- Water Const.

eived inspection report and Primary essment Roll prepared by the City Engineering Department for Sidewalk Improvement Resolution NO. 5451-Y-68, Block 14 -Downtown.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment November 21 and November 22, 1972. Hearing on Confirmation of Assessment Roll, Thursday, December 7, 1972 at 3:30 p.m. Notices to be mailed on November 22, 1972.
eived Declaratory Improvement Resolution No. 27-1972 final plans and property ownership t prepared by the City Engineering Department r the vacation of Mercer Avenue from the south operty line of Ventura Lane to the north property ine of Farwood Avenue.	Approved and adopted. A true copy of which Resolution No. 1327-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1327-1972. Advertise, Notice to Property Owners, November 17 and November 24, 1972. Hearing on Confirmation Thursday, December 7, 1972 at 3:30 p.m. Notices to be mailed November 24, 1972.

7. Received a request from I & M c/o Tom Kanning, 2101 Spy Run Avenue, for permission to block the alley North of Huffman, east of the 1700 block of Franklin on Tuesday, November 7, 1972 thru Friday, November 10, 1972, from 8 a.m. to 4:30 p.m. PURPOSE: Install underground electrical facilities to Franklin Apartments.	Approved and permit issued.
8. Received Partial Payment Estimate No. 3 (FINAL) for $7,702.90 of Bercot-Gibson Construction Co., Inc., approved by the Water Pollution Control Engineering Department for Sewer Resolution NO. 253-1971, Blackhawk Jr. High School Sanitary Sewer.	Approved. Ordered the City Utilities to pay invoice of Bercot-Gibson Construction Company, Inc., in the amount of $7,202.90 with retainage of $500.00.
9. Received SEWER AGREEMENT between Philip M. Clemens and Claire A. Clemens and the City of Fort Wayne, Indiana, to construct a Sanitary Sewer for National Plastics (Industrial Road).	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Sewer Agreement. Sewer is inside of City Limits, no Councilmanic Approval is required.

Meeting adjourned at 9:25 a.m.

J. D. Boswell

Ronald L. Bonar

William S. Williams

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Thursday, November 9, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

1. Continued from September 7, 1972.
HEARING ON CONFIRMATION

Sidewalk Improvement Resolution 5624-1972, to construct a sidewalk on the south side of State Boulevard from the east curb line of Randallia Drive to a point approximately 200 feet east thereof.

Continued to Thursday, December 14, 1972 at 3:30 p.m.

Time up to receive remonstrance, Monday, November 20, 1972 at 5:00 p.m.

2. Continued from October 5, 1972
HEARING ON CONFIRMATION OF ASSESSMENT ROLL.

Declaratory Improvement Resolution #1302-72, for the Vacation of the second alley west of Wells Street from the south property line of Louisedale Drive to the south line of Louisedale Addition.

CONFIRMED and ordered sent to the Department of Finance.

Grant of Right of Way Easement from William Scheele and Sons, Inc., was submitted and sent to the Street Engineer to be recorded.

3. Continued from September 7, 1972
HEARING ON CONFIRMATION OF ASSESSMENT ROLL.

Declaratory Improvement Resolution #1306-1971, for the Vacation of the alley between Fairfield Avenue and South Wayne Avenue from the north property line of Home Avenue to a point 120 feet north thereof.

Continued to December 14, 1972 at 3:30 p.m.

Notify petitioner to complete requirements set out in Agreement of July 24, 1971 or Board will Rescind All Action.

4. Continued from September 21, 1972
HEARING ON CONFIRMATION

Sanitary Sewer Improvement Resolution #848-1972 beginning at an existing manhole 29 ± lineal feet East of and 159 ± lineal feet South of the intersection of the centerlines of Ley Road and Speedway Drive; thence North 6 ± lineal feet West of a parallel to the East right-of-way of Speedway Drive a distance of 162 ± lineal feet to a proposed manhole located 3 ± lineal feet

Continued to December 7, 1972 at 3:30 p.m.

North of and 29 ± lineal feet East of the intersection of the centerlines of Ley Road and Speedway Drive; thence West 63 ± lineal feet to a proposed manhole located 12 ± lineal feet North of and 33 ± lineal feet West of the intersection of the centerline of Ley Road and Speedway Drive; thence North 640 ± lineal feet East of and parallel to the East right-of-way of the Penn Central Railroad a distance of 1,035 ± lineal feet to a proposed manhole located 8 ± lineal feet South of and 8 ± lineal feet West of the Southeast corner of a space now or formerly owned by W. G. Smallwood, as described in Deed Record Book 582, Page 521; thence West 280 ± lineal feet to a proposed manhole located 8 ± lineal feet South of and 20 ± lineal feet East of the Southwest corner of said space now or formerly owned by W. G. Smallwood as described in Deed Record Book 582, Page 521; thence North and parallel to the Southerly extension of the centerline of Homewood Drive a distance of 1,021 ± lineal feet to a proposed manhole located 185 ± lineal feet South of the centerline of Washington Center Road and 9 ± lineal feet East of the centerline of Homewood Drive; thence due East 177 ± lineal feet, terminating at a proposed manhole located 6 ± lineal feet East of and 7 ± lineal feet North of the Southwest corner of a space now or formerly owned by H. Gaines, as described in Deed Record Book 732, Page 546.

LATERIAL #1: Beginning at a proposed manhole located 185 ± lineal feet South of the centerline of Washington Center Road and 9 ± lineal feet East of the centerline of Homewood Drive; thence due West a distance of 189 ± lineal feet, terminating at a proposed manhole located 7 ± lineal feet North of and 5 ± lineal feet West of the Southeast corner of a space now or formerly owned by Sturgis Light Metals Foundry, Inc., as described in Deed Record Book 546, Page 317.

Said sewers shall be 8 and 10 inches in diameter, all located in the Northeast Quarter Section 23, Township 31 North, Range 12 East.

In addition to the normal assessment due for the above mentioned improvement resolution, there will be an area connection charge in the amount of $400.00 per acre for interceptor resolution #218 as set forth and adopted in Board of Works minutes, January 7, 1970.

5. Continued from September 21, 1972
HEARING ON CONFIRMATION

Continued to Thursday, December 7, 1972 at 3:30 p.m.

Sewer Easement Resolution #107-1972, for the condemnation of a temporary and permanent sewer easement for the purposes to construct, operate, control and maintain a sewer line along and across a portion of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, bounded on the North by Washington Center Road, bounded on the West by Penn Central Railroad, bounded on the South by a line 175 feet South of and parallel to the centerline of Ley Road, bounded on the East by a line 648 feet East of and parallel to the East right-of-way line of Penn Central Railroad. (Sewer 848-1972)

6. HEARING ON CONFIRMATION

Continued to Thursday, November 16, 1972 at 3:30 p.m.

Sewer Improvement Resolution #863-1972, commencing at an existing structure on the St. Mary's Interceptor, Resolution #214, 390 ± feet Northwest of the Stellhorn Bridge on the West side of the St. Mary's River and 650 ± feet East of Winchester Road; thence, Southeasterly 12 ± feet to a proposed manhole; thence, Westerly 301 ± feet; thence, Southwesterly 450 ± feet to a proposed manhole, 7 ± feet West of the West right-of-way of Winchester Road and 560 ± feet North of the Lower Huntington Road; thence, Northwesterly a distance of 101 ± feet; thence, Southwesterly 540 ± feet to a proposed Manhole No. 6, 32 ± feet South of the centerline of Lower Huntinton Road and 338 ± feet West of the Northwest corner of Lot No. 7 in Boggs Orchard Terrace Addition; thence, Westerly in and along a proposed easement parallel to Lower Huntington Road a distance of 349 ± feet terminating at a proposed manhole 32 ± feet South of the centerline of said road.

Lateral A

Commencing at the above mentioned proposed Manhole No. 6; thence, Southeasterly in and along a proposed easement 338 ± feet to a point on Lot No. 7 of the above mentioned addition 7 ± feet East of the West property line; thence, Southwesterly in and along a proposed easement and parallel with the West property line of Lot No. 7 a distance of 196 ± feet to a point on the South line of Lot No. 8, 7 ± feet East of the West property line; thence, Southeasterly 460 ± feet along the South property line of Lot No. 8 terminating in Kinnerk Road 5 ± feet West of the West property line of Lot No. 33 in Allison's Suburban Addition.

Lateral B

Commencing at a proposed manhole 7 ± feet West of the West right-of-way of Winchester Road and 560 ± feet North of the intersection of Lower Huntington Road; thence, Southeasterly in and along a proposed easement a distance of 355 ± feet terminating at a proposed manhole 7 ± feet West of the West right-of-way of Winchester Road.

Said sewers to be 8 and 12 inches in diameter.

7. HEARING ON CONFIRMATION

Continued to Thursday, November 16, 1972 at 3:30 p.m.

Easement Resolution #113-1972, for the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Richardville Reserve and the southwest ¼ of Section 26, Township 30 North, Range 12 East and the northwest ¼ of Section 35, Township 30 North, Range 12 East, bounded by the St. Mary's River on the east, the Baer Field Throughway on the west, and 600 ± feet north and south of the Lower Huntington Road. (Sewer 863-1972)

8. Received a request from Rev. Isaac Fincher, 2319 S. Lafayette St., Southern Christian Leadership Conference, for permission to hold a parade on Saturday, December 16, 1972, from 11:30 a.m. to 2:00 p.m. Route to be traveled - Down Hanna Street, left on Lewis Street, Lewis Street to right on Calhoun Street to City County Building. PURPOSE: Operation Bread Basket Chapter	Approved and permit issued.

Meeting adjourned at 4:35 p.m.

J. D. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Monday, November 13, 1972

rtment of Public Works
ice of the Board
910, City-County Building
lar meeting held at 9 a.m.

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith

D. Boswell, R. L. Bonar, W. G. Williams
I. Smith

eived purchase orders from the Purchasing
nt of City Utilities.

Approved.

eived payment vouchers from the Auditor
City Utilities.

Approved and ordered sent to the
Department of Finance.

eived driveway applications.

0 Baker Street ---- Schenkel & Sons, Inc.
0 W. Cox Drive ------- Mrs. H. W. Eggman
3 Illsley -------- A. M. Tilbury, Inc.
12 Monogene Dr.--- J.F. Derheimer & Sons, Inc.

Approved and permits issued.

ceived street cut applications.

len Avenue --------------------------- NIPSCO
16 Ardis Drive ----------------- Water Const.
iseum Blvd. ------------------------- NIPSCO
von Street -------------------- Light Const.
204 Encino Drive ---------------- Water Const.
15 Hessen Cassel Road ---------------- NIPSCO
ngsley ----------------------- Light Const.
06 Pine Valley Drive ----------- Water Const.
tman ---------------------------------- NIPSCO
6 Reynolds -------------------------- NIPSCO
. Joe Boulevard (1246) -------------- NIPSCO
38 Sherman -------------------------- NIPSCO
rce Avenue -------------------- Light Const.
rce Avenue -------------------- Light Const.
20 S. Webster ----------------- Water Const.

Approved and permits issued.

ceived Contract, Guaranty and Liability
nds of A. Grosjean & Son, in the amount of
,068.50, prepared by the City Engineering
partment, signed by The Cincinnati Insur-
ce Company for Sidewalk Improvement Reso-
tion No. 5625-1972 on the south side of
ate Boulevard from the west line of Lot
. 40, J. H. Feichters Garden View Addi-
ion to the west property line of Hobson
ad.

Approved.

6. Received Contract, Guaranty and Liability Bonds of A. Grosjean & Son in the amount of $6,900.75, prepared by the City Engineering Department, signed by The Cincinnati Insurance Company for Sidewalk Improvement Resolution No. 5627-1972 on the north side of West State Boulevard at Jessie Avenue from approximately four (4) feet west of the west property line of Lot No. 1, Kuhlman Addition to the east property line of Lot No. 3, Thimlars Addition.	Approved.
7. Received invoice NO. 4 in the amount of $2,296.40 from Clyde E. Williams & Associates, Inc., for engineering services in connection with Crescent Avenue and Anthony Boulevard intersection.	Approved. Ordered $2,296.40 of Clyde E. Williams & Associates, Inc., paid from the IAR & S Fund.
8. Received a request from A-1 Sanitary, James Dumeto - 404 High Street, for permission to close the alley between 1427 Wall Street and Swinney Avenue from Phenie Avenue to Thompson Avenue on Monday, November 13, 1972 from 9 a.m. to 5 p.m. PURPOSE: To repair sewer.	Approved and permit issued.
9. Received a request from Weikel Construction Co., Meyer Road, for permission to close the alley running east and west - north of Main Street, South of Columbia Avenue - between Calhoun and Harrison Streets beginning Monday, November 13, 1972 from 9 a.m. to 5 p.m. PURPOSE: To install Telephone Conduit.	Approved and permit issued.
10. Received Change Order No. 5 (their Change Order NO. 9) for Inner City Storm Relief Resolution No. 249-1970, for Earth Construction and Engineering, Inc., - Sewer Project, Section II, WS-IND-78 - increasing the contract price in the amount of $8,900.00.	Approved.

Meeting adjourned at 9:30 a.m.

Ronald L Bowen

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Tuesday, November 14, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, W. G. Williams
Edna I. Smith, Clerk

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received street cut applications.

5822-5840 Bunt Drive (prkstrp) - Water Const.
5842-5860 Bunt Drive (prkstrp) - Water Const.
5902-5920 Bunt Drive (prkstrp) - Water Const.
5922-5940 Bunt Drive (prkstrp) - Water Const.
5942-5960 Bunt Drive (prkstrp) - Water Const.
215 Pequeen Street (bore - prkstrp) ----- Water Const.

Approved and permits issued.

RECEIVE BIDS:

Water Contract No. 7015 (Project W-72-33) - Hessen Cassel Road Distribution Feeder Main.

Referred to the Water Engineering Department for tabulation and report.

Award Contract Tuesday, November 28, 1972 at 9 a.m.

	SEC. I (Base)	SEC. II (Base)
BERCOT, INC	$23,555.80	$12,997.40
JOHN DEHNER, INC.	26,328.29	14,733.18
JAY FOX CONST., INC.	23,095.00	13,097.00
NOBIS-WESTROPP CONST. CO.	24,769.00	13,985.00
SCHEELE CONST., INC.	26,780.50	14,858.50

5. Sewer Tap Agreement Reimbursement:

Permission is hereby granted to Truckomatic, Inc., to tap a sewer to serve 3401 Coliseum Blvd., West. Said permission is conditioned upon the payment of the sum of $599.40, to the City of Fort Wayne as reimbursement under a certain Sewer Agreement SC-68-2, dated April 2, 1968 between Holiday Inns, Inc. and the City of Fort Wayne, Indiana, who are said parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Control Engineering Department, the Permit Room.

Approved.

Ordered the City Utilities to remit the sum of $599.40 to Holiday Inns, Inc. which sum was deposited with the City by the applicant, to be distributed as set out in the Special Sewer Tap Agreement.

6. RESOLUTION NO. 59-50-6
A RESOLUTION CONCERNING applications for the continuation of a Public Personnel Program to be funded through the Intergovernmental Personnel Act Program.

WHEREAS, ther are lacking (1) a well structured, defined, and written set of personnel policies and procedures and (2) a program that offers meaningful incentives and training opportunities for educational and vocational self-improvement for municipal employees and increased professionalism and efficiency for the City of Fort Wayne: and

WHEREAS, the absence of sound programs in these vitally essential areas makes it imperative that the Administration continue its public personnel program; and

WHEREAS, through the Intergovernmental Personnel Act Program, the possibility of implementing such programs, thereby accomplishing the goal of a more informed, educated and professional municipal work force, becomes a reality.

NOW THEREOFRE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Common Council authorizes the City of Fort Wayne to apply for a continuation of its public personnel program, and supplements thereto, to be funded through the Intergovernmental Personnel Act Program (on a 75-25 ratio), which assists with the implementation of effective and progressive municipal personnel policy and procedure system and training programs

Meeting adjourned at 9:20 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Thursday, November 16, 1972

rtment of Public Works
ice of the Board
310, City-County Building
ular meeting held at 3:30 p.m.

Boswell, R. L. Bonar, W. G. Williams
I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sidewalk Improvement Resolution No. 5451-X-1968 Block 10 for improving the sidewalk of the Downtown Sidewalk Project bounded by Berry Street on the north, Calhoun Street on the east, Wayne Street on the south and Harrison Street on the west, except Lot 513 and 514, Hannas Addition, Lot 104, Original Plat, Lot 2 Sub. of Lot 106, Original Plat and Lot 105, the east 5 feet of S. 20 feet of the north 50 feet, Original Plat.

The Board determined the benefits as indicated.

Ordered the City Engineering Department to prepare the Final Assessment Roll.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Declaratory Improvement Resolution No. 1325-1972 for the vacation of the alley between Bowser Avenue and Holton Avenue from the north property line of the first alley north of Creighton Avenue to the south property line of the second alley north of Creighton Avenue.

CONFIRMED and ordered sent to the Department of Finance.

EARING ON CONFIRMATION

Declaratory Improvement Resolution No. 1326-1972 for the vacation of Riverview Drive from the easterly right-of-way line of Edgewood Avenue to the westerly right-of-way line of Clinton Street.

CONFIRMED.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

EARING ON CONFIRMATION

Sewer Easement Resolution No. 116-1972 for the condemnation of a temporary and permanent sewer easement to construct, operate, control, aintain, reconstruct and remove a sewer line along and across a portion of Richardville eserve (Winchester Heights Addition, Section "A" and the Southwest ¼, Section 35, Township North, Range 12 East), bounded by Winchester oad on the East, Dunkelberg Road on the South, nd Wyss Drive on the West. (Pheasant Run)

CONFIRMED.

Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.

Remonstrance received by DonDel Priore submitted by Attorney David Peters.

5. HEARING ON CONFIRMATION

Sewer Improvement Resolution No. 857-1972 for the Trixholme Addition area bounded on the north by Trick Avenue, on the east by a line 200 feet, etc. Easement No. 115-1972.

Continued to December 7, 1972 at 3:30

Remonstrance received from:
H. David Mullin and Betty Y. Mullin
Larry J. Burke and Elizabeth R. Burke
Willard S Smith and Gladys R. Smith
submitted by Attorney Larry Burke.

6. HEARING ON CONFIRMATION

Sewer Easement Resolution No. 115-1972 for the condemnation of a permanent and temporary right-of-way for sewer easement purposes across, through and under a space bounded on the North by Louisdale Drive on the East by the East line of Lot #74 of Trixholme Addition, Section "D", on the South by the North boundary line of Franke Park and on the West by the West line of the Northeast quarter of Section 27, Township 31 North, Range 12 East. Sewer No. 857-1972.

Continued to Thursday, December 7, 197
at 3:30 p.m.

7. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Easement Resolution No. 114-1972 for the condemnation of a permanent easement over an existing sanitary sewer located on Lots 7, 8 and 9 of Elizabeth Hannas Subdivision as recorded in Deed Book 105, Page 225, generally bounded on the North by Curdes Avenue on the East by Kentucky Avenue on the South by Charlotte Avenue and on the West by the West property line of Lot 7 of said Elizabeth Hannas Subdivision.

CONFIRMED and ordered sent to the Department of Finance.

8. Continued from November 9, 1972
HEARING ON CONFIRMATION

Sewer Improvement Resolution No. 863-1972 for the installation of a sanitary sewer in the area of Winchester Road and Lower Huntington Road.

CONFIRMED.

Advertise, Notice to Contractors, November 24 and December 1, 1972.

Received Bids Tuesday, December 5, 1972 at 9 a.m.

Ordered the Water Pollution Control Engineering Department to prepare Bid Documents.

Continued from November 9, 1972 HEARING ON CONFIRMATION Easement Resolution NO. 113-1972 for the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct, and remove a sewer line along and across a portion of Richardville Reserve and the southwest 1/4 of Section 26, Township 30 North, Range 12 East and the northwest 1/4 of Section 35, Township 30 North, Range 12 East, bounded by the St. Mary's River on the east, the Baer Field Throughway on the west, and 600 ± feet north and south of the Lower Huntington Road. (Sewer 863-1972).	CONFIRMED. Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.
HEARING ON CONFIRMATION Water Improvement Resolution NO. 1005-1972 in and along the south side of Homedale Drive, from the west property line of Hessen Cassel Road to the west property line of Lot #12, also on Waycross Drive, from the north property line of Lot #14, to the south property line of Lot #11, all in Hickory Grove Addition Section "A". (Homedale Drive)	CONFIRMED. Advertise, Notice to Contractors, November 24 and December 1, 1972. Receive Bids Tuesday, December 5, 1972 at 9 a.m. Ordered the Water Engineering Department to prepare Bid Documents.
SEWER TAP AGREEMENT REIMBURSEMENT: Permission is hereby granted to Anthony Galpern to tap a sewer to serve 3322 Mono Gene Drive, Lot 21 Ed. H. Hoevel's 2nd Addition. Said permission is conditioned upon the payment of $744.00 to the City of Fort Wayne as reimbursement under a certain sewer agreement No. SC-63-4, dated the 30th day of December, 1963, who are parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Control Engineer, the Permit Room.	Approved. Ordered the City Utilities to remit to Hoevel Development Company sum of $744.00, which sum was deposited with the City by the applicant, to be distributed as set out in the Special Sewer Tap Agreement.
Received Change Order No. 1 in the amount of $1,751.10, for L. W. Dailey, Inc. prepared by the Street Engineering Department, covering work performed under Resolution No. 5612-1972 - Bradwood Terrace.	Approved.

13. Received Partial Payment No. 2 (FINAL) for $26,728.30, of John Dehner, Inc., for work performed on Sewer Resolution No. 264 U. S. 30 Bypass Storm Drain, Purchase Order No. 11282.	Approved and ordered invoice of John Dehner, Inc. for $26,728.30 (FINAL) paid from the Sewer Relief Fund.
14. Received Invoice No. 3 of Westenhoff and Novick, Inc., in the amount of $3,144.03 for professional engineering services in connection with planning of proposed East-West Highway Phase I. (P.O. No. 11163).	Approved and ordered invoice of Westenhoff and Novick, Inc., in the amount of $3,144.03 paid from the Motor Vehicle Highway Fund.
15. Received request from Light Construction, 1701 South Lafayette Street, for permission to close Calhoun Street from Main Street to Berry Street beginning Thursday, November 16, 1972 at 11:00 p.m. to Friday, November 17, 1972 at 6:00 a.m. PURPOSE: Install conduit for street lighting.	Approved and permit issued.

Meeting adjourned at 4:50 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Monday, November 20, 1972

rtment of Public Works
ce of the Board
910, City-County Building
lar meeting held at 9:00 a.m.

PRESENT:
J. D. Boswell, R. L. Bonar

. Boswell, R. L. Bonar, W. G. Williams
I. Smith, Clerk

ived Minutes of Meeting held Monday, mber 13, 1972 at 9 a.m.; Minutes of Meeting uesday, November 14, 1972 at 9 a.m.; also tes of Meeting held Thursday, November 16, 1972 :30 p.m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received street cut applications.

Approved and permits issued.

4433 & 4333 Avondale --------------- NIPSCO
Calhoun & Doan -------------------- NIPSCO
atherin Avenue -------------------- NIPSCO
N. Clinton (2518) ------------------ NIPSCO
3401 Coliseum Blvd. W. -------- Water Const.
3303 Debeney Drive ------------ Water Const.
3315 Debeney Drive ------------ Water Const.
3325 Debeney Drive ------------ Water Const.
5109 Executive Blvd. ---------- Water Const.
3701 S. Harrison ---------- Land Excavating
2813 Lillie ---------------------- NIPSCO
6918 Lima Road --------------- Water Const.
Newport & Fernwood --------------- NIPSCO
4818 Tacoma ---------------------- NIPSCO
1427 Wall ----------------- Sanitary Sewer
602 E. Wayne St. ------ R.& A Plumbing, Inc.

Received Declaratory Resolution No. 1328-1972, final plans and Property Ownership List, prepared by the Street Engineering Department for the vacation of Wall Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit: Beginning on the southeast corner of Lot #160 in said Swinney's Addition; thence westerly, along the north line of Wall Street, 325.65 feet to the northerly projection of the west line of Phenie Street; thence southerly, along said projected line, 50.0 feet to the south line of Wall Street;thence easterly, along said south line, 325.65 feet to the southerly projection of the east line of Lot #160 of said Addition; thence northerly, along said projected line 50.0 feet to the point of beginning.

Also

Phenie Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit:

Approved and adopted. A true copy of which Resolution No. 1328-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 1328-1972.

Advertise, Notice to Property Owners, November 24, 1972 and December 1, 1972.

Hearing on Confirmation Thursday, December 14, 1972 at 3:30 p.m.

Notices to be mailed December 1, 1972.

Beginning at the intersection of the east line of Phenie Street with the south line of Wall Street; thence westerly, along the south line of Wall Street 45.65 feet to the west line of Phenie Street; thence southerly, along said west line, 312.0 feet to the westerly projection of the north line of Swinney Avenue, thence easterly, along said projected north line 45.65 feet to the east line of Phenie Street; thence northerly, along said east line, 312.0 feet to the point of beginning.

The vacation of Phenie Street may also be described as the east 10.65 feet of Phenie Street as established by Declaratory Resolution 501-1925 and the east 35 feet of Phenie Street as established by Declaratory Resolution 801-1949, said 35 feet east, formerly being Lots 151 and 108, Swinney's Addition to the City of Fort Wayne, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the following described property:

Wall Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit: Beginning on the southeast corner of Lot #160 in said Swinney's Addition; thence westerly, along the north line of Wall Street, 325.65 feet to the northerly projection of the west line of Phenie Street; thence southerly, along said projected line, 50.0 feet to the south line of Wall Street; thence easterly, along said south line, 325.65 feet to the southerly projection of the east line of Lot #160 of said Addition; thence northerly, along said projected line 50.0 feet to the point of beginning.

Also

Phenie Street in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit: Beginning at the intersection of the east line of Phenie Street with the south line of Wall Street; thence westerly, along the south line of Wall Street 45.65 feet to the west line of Phenie Street; thence southerly, along said west line, 312.0 feet to the westerly projection of the north line of Swinney Avenue, thence easterly, along said projected north line 45.65 feet to the east line of Phenie Street; thence northerly, along said east line, 312.0 feet to the point of beginning.

The vacation of Phenie Street may also be described as the east 10.65 feet of Phenie Street as established by Declaratory Resolution 501-1925 and the east 35 feet of Phenie Street as established by Declaratory Resolution 801-1949, said 35 feet, formerly being Lots 151 and 108, Swinney's Addition to the City of Fort Wayne, Indiana.

Received Declaratory Resolution No. 1329-1972, final plans and Property Ownership List, prepared by the Street Engineering Department for the vacation of a 12 foot alley and part of a 10 foot alley in Swinney's Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit: A 12 (twelve) foot wide alley running north-south direction and being more particularly described as follows: the west 12 feet of the east 31 feet of Lot #154 in Swinney's Addition to the City of Fort Wayne, Indiana together with a 10 foot wide alley being more particularly described as follows: 10 (ten) foot in width and being located north of and contiguous to the north line of Lots #155 through #160 and the north line of the east 31 feet of Lot #154 in said Swinney's Addition,

also

An approximately 12 foot wide alley along the east bank of St. Mary's River in Swinney's Addition to the City of Fort Wayne, Indiana and a 23.5 foot and a 15 foot wide alley west of Lot #342 of said Addition, which alley is also described as that portion of the alley lying west of said Lot #342 and north of vacated Wall Street. Said alley varies in width at various points along said east bank of the St. Mary's River and the general description contained herein is to vacate the entire alley west of the east line thereof herinafter described. The east line of said alleys being more particularly described as follows:

Beginning on the east line of said 12 foot wide alley at a point situated 77.4 feet south of the northwest corner of Lot #239 of said Swinney's Addition; thence northerly, along the west line of Lots #239 and #240 and across a 11 foot wide vacated alley, a distance of 228.4 feet to the south line of vacated portion of Stophlet Street; thence northerly across Stophlet Street, 50.0 feet; thence northerly along the west line of Lot #283, a distance of 191.95 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the westerly line of Lot #284, 152.2 feet to the south line of vacated portion of Swinney Street; thence northwesterly, across said street, 60.7 feet; thence northwesterly, along the west line of Lot #310, a distance of 153.8 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the west line of Lot #311, a distance of 159.4 feet to the south line of vacated portion of Wall Street; thence northeasterly, across said street, 53.1 feet to the southwest corner of Lot #342; thence northerly, along the west line of said Lot, 109.5 feet to the south line of said 23.5 foot wide alley; thence northerly, continuing along the west line of said Lot #342, a distance of 50.0 feet to the north line of a 10 foot wide vacated alley along and

Approved and adopted. A true copy of which Resolution No. 1329-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1329-1972.

Advertise, Notice to Property Owners, November 24 and December 1, 1972.

Hearing on Confirmation Thursday, December 14, 1972 at 3:30 p.m.

Notices mailed December 1, 1972.

contiguous to the north line of Lot #342. Containing 0.706 acre of land and also parts of Lots Numbered #239 and #240, which are utilized as part of the alley immediately described above, said parts being more particularly described as follows:

Beginning on the north line of Lot #240 of said addition at a point located 18.0 feet westerly of the northeast corner of said lot; thence southerly and parallel with the east line of said Lot 145.5 feet to the centerline of a vacated alley; thence easterly along said center line 18.0 feet to the northerly projection of the east line of Lot #239 of said addition; thence southerly along the east line of said Lot #239, 88.5 feet to the north right-of-way line of Taylor Street as now exists; thence westerly, along said right-of-way line, 19.9 feet; thence northerly and parallel with the east line of said Lot #239, 5.0 feet; thence westerly and parallel with the north line of said Lot #239, 16.45 feet to the west line of said Lot #239; thence northerly along said west line 77.4 feet to the northwest corner of said lot; thence northerly along the west line of said alley, 11.0 feet to the southwest corner of said Lot #240; thence northerly along the west line of said lot, 140.0 feet to the northwest corner of said lot; thence easterly along the north line thereof to the place of beginning.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the following described property:

A 12 (twelve) foot wide alley running north-south direction and being more particularly described as follows: the west 12 feet of the east 31 feet of Lot #154 in Swinney's Addition to the City of Fort Wayne, Indiana, to gether with a 10 foot wide alley being more particularly described as follows: 10 (ten) foot in width and being located north of and contiguous to the north line of Lots #155 through #160 and the north line of the east 31 feet of Lot #154 in said Swinney's Addition,

also

An approximately 12 foot wide alley along the east bank of St. Mary's River in Swinney's Addition to the City of Fort Wayne, Indiana and a 23.5 foot and a 15 foot wide alley west of Lot #342 of said addition, which alley is also described as that portion of the alley lying west of said Lot #342 and north of vacated Wall Street. Said alley varies in width at various points along said east bank of the St. Mary's River and the general description contained herein is to vacate the entire alley west of the east line thereof hereinafter described. The east line of said alleys being more particularly described as follows:

Beginning on the east line of said 12 foot wide alley at a point situated 77.4 feet south of the northwest corner of Lot #239 of said Swinney's Addition; thence northerly, along the west line of Lots #239 and #240 and across a 11 foot wide vacated alley, a distance of

28.4 feet to the south line of vacated portion of Stophlet Street; thence northerly across Stophlet Street, 50.0 feet; thence thence northerly along the west line of Lot #283, a distance of 191.95 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the westerly line of Lot #284, 152.2 feet to the south line of vacated portion of Swinney Street; thence northwesterly, across said street, 60.7 feet; thence northwesterly, along the west line of Lot #310, a distance of 153.8 feet; thence across a vacated alley, 12.0 feet; thence northwesterly, along the west line of Lot #311, a distance of 159.4 feet to the south line of vacated portion of Wall Street; thence northeasterly, across said street, 53.1 feet to the southwest corner of Lot #342; thence northerly, along the west line of said Lot, 109.5 feet to the south line of said 23.5 foot wide alley; thence northerly, continuing along the west line of said Lot #342, a distance of 50.0 feet to the north line of a 10 foot wide vacated alley along and contiguous to the north line of Lot #342. Containing 0.706 acre of land and also parts of Lots Numbered #239 and #240, which are utilized as part of the alley immediately described above, said parts being more particularly described as follows:

Beginning on the north line of Lot #240 of said addition at a point located 18.0 feet westerly of the northeast corner of said lot; thence southerly and parallel with the east line of said Lot 145.5 feet to the centerline of a vacated alley; thence easterly along said center line 18.0 feet to the northerly projection of the east line of Lot #239 of said addition; thence southerly along the east line of said Lot #239, 88.5 feet to the north right-of-way line of Taylor Street as now exists; thence westerly, along said right-of-way line, 19.9 feet; thence northerly and parallel with the east line of said Lot #239, 5.0 feet; thence westerly and parallel with the north line of said Lot #239, 16.45 feet to the west line of said Lot #239; thence northerly along said west line 77.4 feet to the northwest corner of said lot; thence northerly along the west line of said alley, 11.0 feet to the southwest corner of said corner of said Lot #240; thence northerly along the west line of said lot, 140.0 feet to the northwest corner of said lot; thence easterly along the north line thereof to the place of beginning.

6. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1309-1971 for the vacation of the alley between Murray & Wallace.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served December 4, 1972. Hearing on Confirmation of Assessment Roll Thursday, December 14, 1972 at 3:30 p.m.
7. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Sidewalk Resolution No. 5451-Z-68 - Block 2, Downtown Sidewalk Project.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment, November 30 and December 1, 1972. Hearing on Confirmation of Assessment Roll Thursday, December 14, 1972 at 3:30 p.m. Notices to be mailed December 4, 1972.
8. Permission was granted to Strauss Associates, Inc., 601 Strauss Building, to park a truck in front of 809 South Calhoun Street (curb lane) beginning Saturday, November 18, 1972 from 1:00 p.m. to 5:00 p.m. PURPOSE: Load debris from office at 601 Straus Building.	Approved and permit was issued.
9. Permission was granted to Light Construction, 1701 S. Lafayette, to close Berry Street from Clinton to Harrison Streets beginning Wednesday, November 15, 1972 at 11:00 p.m. to Thursday, November 16, 1972 at 6:00 a.m. PURPOSE: Install conduit for street lighting.	Approved and permit was issued.

Permission was granted to Weikel Construction Company, Meyer Road, to close the alley running North of Washington Boulevard, South of Wayne Street between Lafayette and Barr Streets on Monday, November 20, 1972 from 8:00 a.m. to 5:00 p.m. PURPOSE: To run a lateral for General Telephone.	Approved and permit issued.
Emergency Resolution: Pursuant to sewer cave-in in the 3600 Block of Wells Street, John Dehner, Inc. was asked to make Emergency Repairs. Said project could not be handled by Sewer Maintenance forces.	Ordered City Utilities Purchase Order No. 8338 in the amount of $2,978.43 sent to Common Council Tuesday, December 5, 1972 at 8:00 p.m.

Meeting adjourned at 9:20 a.m.

D Boswell

Ronald L Bonar

William D. Williams

BOARD OF PUBLIC WORKS

TEST:

L Smith

L. Smith, Clerk

Monday, November 27, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Monday, November 20, 1972 at 9:00 a.m.

1. Received purchase order from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received street cut applications.

1911 Bear Paw	Water Const.
1915 Bear Paw	Water Const.
Eleanor	NIPSCO
Glenn Avenue	NIPSCO
8916 Greenleaf	Water Const.
9212 Greenleaf Dr.	Water Const.
High Street	NIPSCO
7121 Kumfer	NIPSCO
3322 Mono Gene Drive	Water Const.
1730 Spy Run Avenue	NIPSCO
Vermont, Randalia & Lake	Gen. Tel.
Winchester & L. Huntington	W.P.C.
5115 Woodway Drive	Water Const.
5116 Woodway Drive	Water Const.

Approved and permits issued.

4. Received Final Assessment Roll prepared by the City Engineering Department for Sidewalk Improvement Resolution No. 5451-X-1968 Block 10.

CONFIRMED and ordered sent to the Department of Finance.

5. Received inspection report and Primary Assessment Roll prepared by the City Engineering Department for Street Resolution No. 5612-1972 for improving Bradwood Terrace from the east property line of Elwood Drive to the west property line of Reed Road.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise, Notice of Assessment, December 1 and December 2, 1972.

Hearing on Confirmation of Assessment Roll Thursday, December 14, 1972 at 3:30 p.m.

Notices to be mailed December 4, 1972.

Received inspection report and Primary Assessment Roll prepared by the City Engineering Department for Sidewalk Resolution No. 5610-1972 for the construction of a sidewalk on the south side of Vance Avenue from the east curb line of Devon Drive to the west curb line of Kingsley Drive, except where sidewalk is now in place.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise, Notice of Assessment, December 1 and December 2, 1972.

Hearing on Confirmation of Assessment Roll Thursday, December 14, 1972 at 3:30 p.m.

Notices to be mailed December 4, 1972.

Received inspection report and Primary Assessment Roll prepared by the City Engineering Department for Sidewalk Resolution No. 5613-1972 for the construction of sidewalk on the south side of Vance Avenue from the east property line of Glencairn Drive to the west property line of Devon Drive, except where sidewalk is now in place.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise, Notice of Assessment, December 1 and December 2, 1972.

Hearing on Confirmation of Assessment Roll Thursday, December 14, 1972 at 3:30 p.m.

Notices to be mailed December 4, 1972.

Received inspection report and Primary Assessment Roll prepared by the City Engineering Department for Sidewalk Resolution No. 5614-1972 for the construction of sidewalk on the south side of Vance Avenue from the east property line of Kingsley Drive to a point approximately 166 feet east thereof.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise, Notice of Assessment, December 1 and December 2, 1972.

Hearing on Confirmation of Assessment Roll Thursday, December 14, 1972 at 3:30 p.m.

Notices to be mailed December 4, 1972.

Received driveway applications.

Agnes Street at Warsaw ------- Hawk Const.
6900 Block Ardmore Ave.---- Wayne Asphalt
3400 Block Warsaw ------------ Hawk Const.

Approved and permits issued.

10. Permission was granted to Al Wright, Weikel Const. Co., P.O. Box 1108, to barricade the alley, the North end of the alley running North to South between Rudisill and Foster Parkway, East of Arlington and West of Fairfield Avenue. PURPOSE: To run a telephone conduit for General Telephone.

Approved and permit was issued.

11. Permission was granted to Ronald N. Taylor of the House of Pines, 3426 Lower Huntington Road to put up and remove Christmas decorations in the downtown area for the Downtown Fort Wayne Association beginning Monday, November 6, 1972 with removal January 1, 1973.

SAID PERMIT IS SUBJECT TO:

1. Filing a Liability Insurance Policy with the Board of Public Works.
2. Downtown Fort Wayne Association must pay electrical charges.
3. Permittee assumes all costs encountered during installation and removal.
4. Lights are not to be turned on until after Thanksgiving.

Approved and permit was issued.

12. Received a request from Martin, Inc., Box 522, % Pete Smith, for permission to block the South Lane in the 100 block of Washington Street on the left hand side of the street on Tuesday, November 28, 1972 and Wednesday, November 29, 1972 from 9:00 p.m. to 5:00 a.m. PURPOSE: To load building materials.

Approved and permit issued.

Meeting adjourned at

William S. Williams

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Tuesday, November 28, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular Meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	PRESENT: J. D. Boswell, W. G. Williams Edna I. Smith
Received Minutes of Meeting held Monday, November 27, 1972 at 9:00 a.m.	
Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received driveway application.	Approved and permit issued.

5405 South Hanna Street ---- Hipskind Asphalt Corp.

Received street cut applications. — Approved and permits issued.

4714 S. Anthony (alley)	NIPSCO
1910 Alliger (alley)	NIPSCO
1404 & 1406 S. Calhoun (alley)	NIPSCO
2302 S. Calhoun	NIPSCO
1023 Elmwood (alley)	NIPSCO
813 Kenwood	NIPSCO
Kiwanis Drive (560 ft.)	NIPSCO
2412 Lillie	NIPSCO
5009 McClellan	NIPSCO
1157 Ohio	NIPSCO
2235 - 2237 Oliver	NIPSCO
Pontiac & Lafayette (intersection)	NIPSCO
1514 Riverway (prkstrp)	Water Const.
Trick Avenue	NIPSCO
1320 Wabash	NIPSCO
1438 Wabash	NIPSCO
Wayne St. (alley)	NIPSCO
1030 E. Wayne (alley)	NIPSCO
1032 E. Wayne (alley)	NIPSCO
5112 Webster	NIPSCO
2537 W. Drive (alley)	NIPSCO
6406 Winter	NIPSCO

5. Received Assessment Roll of Benefits and Damages, prepared by the City Engineering Department, for Declaratory Resolution No. 1326-1972 for the vacation of Riverview Drive from the easterly right of way line of Edgewood Avenue to the westerly right of way line of Clinton Street.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served December 4, 1972. Hearing on Confirmation of Assessment Roll Thursday, December 14, 1972 at 3:30 p.m.
6. Received Tabulation and Recommendation prepared by Water Engineering Department for Water Contract No. 7015 (Project W-72-33), for Hessen Cassel Road Distribution Feeder Main.	AWARD CONTRACT to Jay Fox Construction, Inc., at and for their Bid in the amount of $23,095.00.
7. Re: Street Improvement Resolution No. 5621-1972, Improvement of Ley Road. Regarding contract of John Dehner, Inc., for construction of the above improvement, which contract was not approved by the Common Council because they would not approve City's additional expense for concrete over asphalt and because contractor will not agree to changing his bid to asphalt, the Board now deems it necessary to declare contract null and void.	Contract of John Dehner, Inc., in the amount of $211,678.39 for improvement of Ley Road from the easterly pavement edge of State Road No. 3 to a point approximately 2566 feet east thereof is hereby cancelled. After further study, the Board may determine it advisable to readvertise for bids.
8. Emergency Resolution: Pursuant to report of Water Pollution Control Engineering Department, John Dehner, Inc., was ordered to make emergency repairs to sewers in the alleys at rear of 1216 Morton Street and 1439 Edgewater Avenue. Said sewers were in excess of 10 feet in depth, making it necessary to call in an outside contractor to do the work on time and material basis.	Ordered City Utilities Purchase Order No. 8296 in the amount of $3,114.70 sent to the Common Council Tuesday, December 5, 1972 at 8:00 p.m.

Received inspection report, from Water Pollution Control Engineering Department and Completion Affidavit of Bercot, Inc. with Guaranty Bond in the amount of $7,000.00 signed by the American States Insurance Company for Waynedale Branch - Fort Wayne Library - Storm Sewer - W.O. #82267.	Approved. Ordered acceptance letter written.
Received approved plan and profile, submitted by the Water Pollution Control Engineer, for construction of Sanitary Sewer to serve Phase II of Blackhawk Forest Apartments.	Approved. Issue Board Order No. 200-1972.
Received Partial Payment Estimate No. 2 (FINAL) $56,799.32 for John Dehner, Inc., for Water Contract 71-W-1, Hurshtown Reservoir Repair.	Approved. Ordered invoice of John Dehner, Inc., in the amount of $56,799.32 (FINAL), paid from the Water Utility Fund of City Utilities.
Pursuant to a report from City Utilities Auditing Department listing unpaid final bills for write-off to bad debt, it is deemed desirable to write off said bills, as per list submitted, in the sum of $3,306.74.	Approved.
Received inspection report, from Water Pollution Control Engineering Department and Completion Affidavit of Bercot, Inc., with Guaranty Bond in the amount of $8000.00 signed by the General Insurance Company of America for Medical Office Building - Fairfield and Home Avenue. W. O. #82210	Approved. Ordered acceptance letter written.
Received Partial Payment No. 1 in the amount of $20,698.79 for Bowen Engineering Corporation covering work completed and equipment on the site for the period of November 1, 1972 to November 17, 1972 for Sewer Resolution No. 279-1972 - Storm Water Treatment Facility, Section V - E.P.A. No. 11020 GYU.	Approved. Ordered City Utilities to pay $20,152.13 to Bowen Engineering Corporation from the Water Pollution Control Utility Funds.
Received invoice of Bercot, Inc. in the amount of $22,702.50 for construction of water line to serve Northrop Bus Garage - Contract 7211. Fort Wayne Community Schools have remitted their share in amount of $14,125.00	Approved and ordered City Utilities to pay Bercot, Inc. in the amount of $22,702.50 from the Water Utility Fund.

16.

ADDENDUM TO RESOLUTION NO. 57-6-13

Pursuant to Resolution by the Board of Public Works of the City of Fort Wayne, Indiana dated April 13, 1971 for filing an application for a Federal Grant in connection of Saint Joe Interceptor Sewers designated as SJ2, SJ5, SJ6 and SJ7, which Resolution was amended September 14, 1972, the Board now deems it advisable to RESCIND the amended Resolution.

Also, due to a change of Administration since the filing of the original Resolution, which designated Fred S. Ehrman as signatory, the Board of Public Works, the governing body of said Municipality hereby designates Dr. Jerry D. Boswell, present Chairman of the Board of Public Works as the authorized representative of the Municipality in connection with said application.

Ordered sent to the Common Council Tuesday, December 5, 1972 for their approval of the application.

Meeting adjourned at 10:30 a.m.

Jerry D. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Monday, December 4, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Tuesday, November 28, 1972 at 9:00 a.m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received street cut applications

Approved and permits issued.

3416 S. Calhoun --------------- NIPSCO
362 S. Clermont --------------- NIPSCO
612 Cumberland ------------ Golden Rule
918 Dearborn ------------ NIPSCO
3220 Dwenger Ave. (prkstrp) - Water Const.
152 Francis (alley) ------- NIPSCO
Gable Road N/ Winter St. ---- NIPSCO
7010 Hessen Cassel Rd. ---- Water Const.
902 E. Jefferson --------- NIPSCO
904 E. Jefferson --------- NIPSCO
915 S. Lafayette --------- NIPSCO
716 Madison (alley) --------- NIPSCO
4855 Mamie Dr. (prkstrp) ---- Water Const.
4979 Mamie Dr. (prkstrp)' ---- Water Const.
2606 Palisades -------------- NIPSCO
1007 Pape ------------- John Hartman
316 Rexford ------------- NIPSCO
3618 Schele ------------- Troy Wilson
1236 Summit ------------- NIPSCO
4610 Trierwood ---------- NIPSCO

Received driveway applications.

Approved and permits issued.

1006 McKee Street -------- James Brooks
102 W. Sherwood Terrace --- Brooks Const.

Received private sidewalk applications.

Approved and permits issued.

1324 S. Hoagland --------- Sam Smith
2606 Palisade Dr. --------- Oscar Pense

6. Received Water Improvement Resolution No. 1003-1972, final plans, estimate, specifications and property ownership list, prepared by the Water Engineering Department for the north side of Oakwood Drive, from the west property line of Hessen Cassel Road to the west property line of lot 16, also along the west side of Waycross Drive from the north property line of Oakwood Drive, to the north property line of lot 19, all in Woodland Acres Addition.	Approved and adopted. A true copy of wh Resolution NO. 1003-1972 is incorporated by reference herein and appears in Minute herein, under Resolution No. 1003-1972. Advertise, Notice to Property Owners, December 13, 1972. Hearing on Confirmation Thursday, December 21, 1972 at 3:30 p.m. Notices to be mailed on December 13, 1972.
7. Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department for Sewer Easement Resolution No. 116-1972, for the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Richardville Reserve (Winchester Heights Addition, Section "A" and the Southwest 1/4, Section 35 Township 30 North, Range 12 East), bounded by Winchester Road on the east, Dunkelberg Road on the South, and Wyss Drive on the West.	Approved and Board finds that the amount o damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served December 8, 1972. Hearing on Confirmation of Assessment Roll Thursday, December 21, 1972 at 3:30 p.m.
8. Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department for Sewer Easement Resolution No. 113-1971 in the area of Winchester Road and Lower Huntington Road.	Approved and Board finds that the amount o damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served December 8, 1972. Hearing on Confirmation of Assessment Roll Thursday, December 21, 1972 at 3:30 p.m.

Received Agreement to Maintain Streets between the City of Fort Wayne, Indiana and Connecticut General Mortgage and Realty Investments for project known as Canterbury Green Apartments Phase V.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement to Maintain Streets.
Received Change Order No. G-10, prepared by Schenkel, Shultz and Hodge, Inc., of Michael Kinder and Sons, Inc., covering work performed on Central Fire Station No. 1, in the amount of $1,415.11.	Approved.
1. Received Special Street Permit, prepared and approved by the City Engineering Department for Ralph Shirmeyer, Inc., to construct Lakeridge Drive from the south pavement line of Lower Huntington Road.	Approved and Special Street Permit issued.
2. Received Partial Payment Estimate No. 13 (FINAL) in the amount of $16,635.14, of Michael Kinder and Sons, Inc., covering general construction of Central Fire Station No. 1.	Approved and ordered invoice of Michael Kinder and Sons, Inc., in the amount of $13,635.14 with a retainage of $3,000.00 until drainage and erosion problem is corrected. PAID FROM FIRE STATION FUND.
3. Received Agreement between the City of Fort Wayne, Indiana and Beam, Longest & Neff, Inc., Consulting Engineers, for engineering services in connection with Improvement of Rudisill Boulevard from Indiana Avenue to Lafayette Street.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Engineering Services.

14. RESOLUTION 59-71-14
The City of Fort Wayne Electric Utility, through the Board of Public Works, joins with other Public and Municipal Utilities of the State of Indiana in submitting a petition to the Indiana Public Service Commission for authority to include in existing rate schedules a provision granting the Utilities the right to increase or decrease the amount billed to their customers to reflect the increase or decrease of fuel costs.

Approved and ordered sent to the Public Service Commission for establishment of a hearing date. Legal notice to be published in the Fort Wayne Newspapers upon acceptance of Petition by Indiana Public Service Commission.

Meeting adjourned at 9:25 a.m.

J. D. Boswell

Ronald L. Bonar

William S. Williams

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Tuesday, December 5, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. RECEIVE BIDS:

Sewer Improvement Resolution No. 863-1972 in area of Winchester Road and Lower Huntington Road.

BERCOT, INC ------------------	$59,059.75
JOHN DEHNER, INC. ------------	58,818.14
EARTH, INC. ------------------	55,778.00
HIPSKIND ASPHALT CORP. -------	63,788.20
NOBIS-WESTROPP CONST. CO., INC. -	53,921.60

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Award Contract Thursday, December 7, 1972 at 9 a.m.

4. RECEIVE BIDS:

Water Improvement Resolution No. 1005-1972 along the south side of Homedale Drive, from the west property line of Hessen Cassel Road to the west property line of Lot #12, also on Waycross Drive, from the north property line of Lot #14, to the south property of Lot #11, all in Hickory Grove Addition Section "A".

BERCOT, INC. ------------------	$20,896.10
JOHN DEHNER, INC. -----------	21,664.40
NOBIS-WESTROPP CONST. CO., INC. -	21,960.00

Referred to the Water Engineering Department for tabulation and report.

Award Contract Thursday, December 7, 1972 at 9 a.m.

Received First Amendment to Protective Covenants, Restrictions and Limitations of Trixholme Addition, Section E, a Subdivision in Allen County, Indiana.	Approved.
Permission was granted to St. John's United Church of Christ, % Jim Doelling, 219 W. Washington, to close the lane on the east side of Webster between Washington Street and the alley beginning Friday, December 1, 1972 from 6:00 p.m. to 10:00 p.m. PURPOSE: To park buses carrying a performing group of retarded children.	Approved and permit was issued.
Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, % M. P. Stein, to barricade the east and west alley between Washington Street and Wayne Street and Barr and Lafayette Streets on Tuesday, December 5, 1972 at 8:00 a.m. to Thursday, December 7, 1972 at 8:00 a.m. PURPOSE: Repair gas leak.	Approved and permit was issued.
Received a request from Snider High School, Bob Weaver, 4600 Fairlawn Pass, for permission to hold a parade on December 16, 1972 starting at 100 p.m. to 4:00 p.m. Route: Starting at Snider High School - Vance Avenue - Hobson Road - ending at State School. PURPOSE: Christmas Parade.	Approved and permit issued.
Received Invoice No. 4 of Westenhoff and Novick, Inc., in the amount of $3,540.67 for professional engineering services in connection with Planning of the Proposed East-West Highway - Phase I. (Voucher 1266)	Approved and ordered invoice of Westenhoff and Novick, Inc., in the amount of $3,540.67 paid from the Motor Vehicle Highway Fund.
Received Sewer Agreement between Shirmeyer Associates, Inc., and the City of Fort Wayne in connection with Pheasant Run Addition.	Approved and ordered sent to the Common Council Tuesday, December 12, 1972 at 8 p.m. H.I.

11.

RESOLUTION OF GOVERNING BODY OF APPLICANT

No. 59-74-11

Resolution of municipality authorizing the filing of an application for a Federal Grant for construction of a water pollution control project.

WHEREAS, the Housing and Urban Development Act of 1965, Section 702, as amended; Public Law 89-117, 19 Stat. 451, 489, 42 U.S.C. 3101 provides for grants to construct water facilities and sewer lines; and

WHEREAS, the City of Fort Wayne, herein called the Municipality, has plans for a municipal water pollution control project generally described as CONSTRUCTION OF 42,435 ± LINEAL FEET OF 12" THRU 54" STORM SEWERS IN THE WAYNEDALE AREA; the Municipality intends to proceed with the construction of such works upon receipt of requested Federal Grant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works, the governing body of said Municipality, as follows:

(1) That Dr. Jerry D. Boswell, Chairman of the Board of Public Works, be authorized to make application for Federal Grants and provide the Department of Housing and Urban Development such information, data, and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.

(2) That the Municipality agrees that if Federal Grant assistance for the Project is provided pursuant to Housing and Urban Development Act of 1965, as amended, the City of Fort Wayne will pay the remaining costs of the approved construction.

(3) That the Municipality agrees to comply with the requirements of the Department of Housing and Urban Development including regulations under Title VI of Civil Rights Act of 1964.

Ordered sent to the Common Council Tuesday, December 12, 1972 at 8 p.m.

RESOLUTION OF GOVERNING BODY OF APPLICANT

No. 59-75-12

Resolution of municipality authorizing the filing of an application for a Federal Grant for construction of a water improvement project.

WHEREAS, the Housing and Urban Development Act of 1965, Section 702, as amended; PUblic Law 89-117, 19 Stat. 451, 489, 42 U.S.C. 3101 provides for grants to construct water facilities and sewer lines; and

WHEREAS, the City of Fort Wayne, herein called the Municipality, has plans for a municipal water improvement project generally described as CONSTRUCTION OF 101,575 ± LINEAL FEET OF 12" THRU 24" WATER TRANSMISSION MAINS IN THE CITY OF FORT WAYNE, INDIANA; the Municipality intends to proceed with the construction of such mains upon receipt of requested Federal Grant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works, the governing body of said Municipality, as follows:

(1) That Dr. Jerry D. Boswell, Chairman of the Board of Public Works, be authorized to make application for Federal Grants and provide the Department of Housing and Urban Development such information, data, and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.

(2) That the Municipality agrees that if Federal Grant assistance for the Project is provided pursuant to Housing and Urban Development Act of 1965, as amended, the City of Fort Wayne (Water Utility) will pay the remaining costs of the approved construction.

(3) That the Municipality agrees to comply with the requirements of the Department of Housing and Urban Development including regulations under Title VI of Civil Rights Act of 1964.

Ordered sent to the Common Council Tuesday, December 12 1972 at 8 p.m.

Meeting adjourned at 10:15 a.m.

J. D. Boswell

Ronald L. Bonar

William S. Williams

BOARD OF PUBLIC WORKS

ATTEST: Edna L. Smith

Edna L. Smith, Clerk

Thursday, December 7, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Monday, December 4, 1972 at 9 a.m.; also Minutes of Meeting held Tuesday, December 5, 1972 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

1907 Hoagland Avenue ------ Joseph Jackson
2908 Pinewood Dr. --------- T. J. Lebrato
3511 Schele --------------- S. & O. Const.
NEC Wayne & Webster ------- Park Dept.

4. Received driveway applications.

Approved and permits issued.

2606 Palisade Dr. -------- Oscar L. Pense
3511 Schele ------------- S. & O. Const.
324 Superior St. ------ Driveway Pavers

5. Received street cut applications.

Approved and permits issued.

1515 N. Anthony------------------ NIPSCO
7304 Bluffton Rd. -------------- NIPSCO
2700 S. Calhoun (3) --------- Water Const.
447 W. Dewald ------------- W. R. Shoda
2700 Dwenger Ave. ----------- Water Const.
1153 Harmar -------------------- NIPSCO
7020 Hessen Cassel (prkstrp) - Water Const.
7108 Hessen Cassel Rd. (prkstrp)Water Const.
4622 Industrial (bore -prkstrp) Water Const.
6929 Ludwig Circle --------------- NIPSCO
McKee on Manford and in alley ---- NIPSCO
922 Morrow Way ---------------- NIPSCO
4814 Ottawa Dr. (bore-prkstrp) Water Const.
4716 Ottawa Dr. (bore-parkstrp) Water Const.
4717 Ottawa Dr. (prkstrp) --- Water Const.
4721 Ottawa Dr. (prkstrp) --- Water Const.
4725 Ottawa Dr. (prkstrp) --- Water Const.
426 Perry ---------------------- NIPSCO
Pontiac & Calhoun --------- Water Const.
1530 Progress --------- P. Eickhoff
4200 Queen St. (4) ------ Water Const.
5218 Woodway Dr. (prkstrp) --- Water Const.

Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Improvement Resolution No. 1005-1972, all in Hickory Grove Addition Section "A".	AWARD CONTRACT to Bercot, Inc., at and for their Bid, in the amount of $20,896.10 subject to Councilmanic approval.
Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Improvement Resolution NO. 863-1972 in the area of Winchester Road and Lower Huntington Road.	AWARD CONTRACT to Nobis-Westropp Const., at and for their Bid, in the amount of $53,921.60, subject to Councilmanic Approval.
Received Water Contract No. 7114 prepared and approved by the Water Engineer between the Fort Wayne Water Utility and Boise Cascade Building Company for installation of a water line on north side of Washington Center Road. The total cost of said water main is $6,984.00 of which the Water Utility will pay $2,539.00 for oversizing.	Approved. Ordered sent to Common Council Tuesday, December 12, 1972 at 8:00 p.m.

Meeting adjourned at 9:35 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Thursday, December 7, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	PRESENT: J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL Sidewalk Improvement Resolution No. 5451-Y-1968. Block 14 - Downtown Sidewalk Project. bounded on the north by Wayne Street, Calhoun Street on the east, Washington Boulevard on the south and Harrison Street on the west, etc.	The Board determined the benefits as indicated. Ordered the City Engineering Department to prepare the Final Assessment Roll.
2. HEARING ON CONFIRMATION Declaratory Improvement Resolution No. 1327-1972 for the vacation of Mercer Avenue from the south property line of Ventura Lane to the north property line of Farwood Avenue.	CONFIRMED. Ordered the City Engineering Department to prepare Assessment Roll of Benefits and Damages.
3. Continued from November 9, 1972 HEARING ON CONFIRMATION Sanitary Sewer Improvement Resolution No. 848-1972 in the area of the Homewood Addition.	CONFIRMED with the understanding an alternate bid will be received, as requested by property owners, to construct the sewer in the rear of the lots of Homewood Drive. Following receipt of bids Board of Works will notify property owners of alternate bid prices and request their approval to hold individual assessments as proposed on original plan. In the event the alternate plan requires a larger assessment against property owned by Rodenbeck, the original plan shall be chosen as the plan for construction. If no increase in assessment to Rodenbeck is required, alternate plan shall be constructed. Alternate Route will MODIFY this Resolution. Advertise, Notice to Contractors, December 21, 1972 and December 28, 1972. Receive Bids Wednesday, January 3, 1973.at 9 a.m. Ordered the Water Pollution Control Engineering Department to prepare the Bid Documents for both original and alternate plan.

Continued from November 9, 1972 HEARING ON CONFIRMATION Sewer Easement Resolution No. 107-1972 for the condemnation of a temporary and permanent sewer easement in the area of the Homewood Addition. (Sewer 848-1972)	Continued to Thursday, February 8, 1972 at 3:30 p.m.
HEARING ON CONFIRMATION Sewer Improvement Resolution No. 857-1972 for sanitary sewers and laterals in the Trixholme Addition area.	CONFIRMED. Advertise, Notice to Contractors, December 21 and 28, 1972. Receive Bids Wednesday, January 3, 1973 at 9 a.m. Ordered the Water Pollution Control Engineering Department to prepare the Bid Documents.
HEARING ON CONFIRMATION Sewer Easement Resolution No. 115-1972 for the condemnation of a permanent and temporary right-of-way for sewer easement purposes in the Trixholme Addition area. (Sewer 857-1972)	CONFIRMED. Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.
Received Partial Payment Estimate No. 5 from Scheele Construction Company, Inc., in the amount of $23,656.75 for Storm Water Overflow Demonstration - Resolution No. 260-1971.	Approved and ordered invoice of Scheele Construction, Inc., in the amount of $23,656.75, paid from the Sewer Relief Fund. (Vou. 1285)
Received Special SEWER PERMIT for Ralph L. Shirmeyer, Inc., prepared by the Water Pollution Control Engineering Department to construct sanitary sewer - Mill Run Phase II. B.O. 155-1971	Approved and Special Sewer Permit issued.

9. Received a request from Northern Indiana Public Service, 1501 Hale Ave., to barricade the alley west of Lafayette between Wayne & Washington--Thursday, December 7, 1972 from 8:00 a.m. to 3:30 p.m. PURPOSE: To repair gas leak.	Approved and permit issued.
10. Received a request from Northern Indiana Public Service, 1501 Hale Ave., to barricade the middle of the alley between Wayne & Washington and Barr & Clinton--Monday, December 11, 1972 from 8:00 a.m. to 4:30 p.m. PURPOSE: To repair gas leak.	Approved and permit issued.

11. RESOLUTION

WHEREAS, a 1953 ordinance (General Ordinance No. 2659) states that the Board of Public Works may require a conduit be placed back of the curb line under each driveway approach to facilitate future electrical wiring for street lights or to facilitate underground wiring for street lights or communications facilities, and

WHEREAS, said Ordinance has not been enforced, and

WHEREAS, the Board of Public Works is undertaking an aggressive and comprehensive City-wide street lighting program, creating a need for such conduits, and

WHEREAS, the Utility Committee made up of representatives of each of the affected utilities was asked to review such requirements and make a recommendation as to the type of conduit, location, etc., and said Committee has completed its review and made such recommendation,

NOW THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, that effective this date all driveway approaches shall have a two-inch conduit placed one foot from the inside (side closest to curb) sidewalk edge. The length of which shall be the width of the driveway plus two feet on each side. It will be permissible to use two-inch diameter, 80-pound plastic water pipe. The conduit shall be closed at each end with a removable plug.

The Right-of-Way Permit Department is hereby instructed to require said conduits as a condition to all future driveway applications and permits.

Adopted by the Board of Public Works December 7, 1972.

A true copy of which Resolution No. 59-80-11, 1972 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 59-80-11, 1972.

Meeting adjourned at

Ronald L.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Tuesday, December 12, 1972

rtment of Public Works
ice of the Board
910, City-County Building
lar meeting held at 9:00 a.m.

D. Boswell, R. L. Bonar, W. G. Williams
I. Smith, Clerk

PRESENT:
J. D. Boswell, W. G. Williams
Edna I. Smith, Clerk

Received purchase order from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received payroll vouchers prepared by the Board of Public Works for the Board of Public Works, Street Department, Aphalt Plant and City Engineering Department.

Approved and ordered sent to the Department of Finance.

Received street cut applications.

Approved and permits issued.

6900 Ardmore ------------------ John Dehner
134 W. Baker ----------------------- NIPSCO
3715 S. Barr ----------------------- NIPSCO
Barr & Williams -------------------- NIPSCO
3001 Bowser ------------------------ NIPSCO
121 W. Concord Lane ---------------- NIPSCO
415 W. Concord Land ---------------- NIPSCO
3001 Drexel ------------------ Water Const.
Edsall & Raymond ------------------- NIPSCO
1324 Grant (alley) ----------------- NIPSCO
1148½ S. Hanna (alley) ------------- NIPSCO
3106 Hoagland ---------------------- NIPSCO
4940 Kyle Road --------------- Water Const.
Lafayette & Murray (alley) --------- NIPSCO
1108 Maumee (alley) ---------------- NIPSCO
3116 Maumee Avenue ----------- Water Const.
3606 Maumee Avenue ----------------- NIPSCO
915 Milton ------------------------- NIPSCO
2034 Nuttman ----------------- Water Const.
914 Putnam ------------------------- NIPSCO
2117 Reed Road --------------------- NIPSCO
6025 Southcrest -------------------- NIPSCO
1120 Summit (alley) ---------------- NIPSCO
802 Van Buren ---------------- Water Const.
436 E. Wildwood -------------------- NIPSCO

Received driveway application.

E. 1100 L. Huntington Rd.-- R.L. Shirmeyer

Approved and permit issued.

6. Received Sewer Easement Resolution No. 117-1972, final plans and property ownership list, prepared by the Water Pollution Control Department for the condemnation of a temporary and permanent sewer easement to construct, operate, control, maintain, reconstruct and remove a sewer line along and across a portion of Richardville Reserve (Southeast ¼, Section 35, Township 30 North, Range 12 East), generally bounded by Winchester Road on the West, Muldoon Road on the South, and the St. Mary's River on the East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a temporary and permanent sewer easement along and across a portion of Richardville Reserve (Southeast ¼, Section 35, Township 30 North, Range 12 East), generally bounded by Winchester Road on the West, Muldoon Road on the South, and the St. Mary's River on the East, more particularly described as follows:

PERMANENT EASEMENT

An easement 15 feet uniform in width on a centerline more particularly described as:

Commencing at a point located on the East right-of-way of Winchester Road and the North property line of Wright's Subdivision Extended West to said right-of-way; thence, on an assumed bearing of North 12° 19' 46" West along the East right-of-way of Winchester Road a distance of 1,587.7 feet; thence, North 51° 21' 04" East a distance 264.7 feet to the point of BEGINNING; said point situated on the Southerly line of a 9.27 acre tract of land now or formerly owned by Karl J. and Mary E. Klingler, Jr., as recorded in Deed Record 479, Page 205, and 241.5 feet East of the East right-of-way of Winchester Road; thence, continuing North 51° 21' 04" East a distance of 332.3 feet; thence, North 88° 11' 04" East a distance of 212.86 feet terminating at a point located on the Easterly line of the above said tract, and 12.0 feet North of the Southerly line of said tract.

All as shown on attached drawing.

TEMPORARY EASEMENT

An easement 30 feet uniform in width lying immediately adjacent to the Northerly line of the above described permanent easement, extending and shortening the side lines of the easement so as to terminate at the boundaries of said 9.27 acre tract.

All as shown on the attached drawing.

The temporary easement to expire one (1) year from the date of execution.

Approved and adopted. A true copy of which Resolution No. 117-1972 is incorporated by reference herein and appear in Minutes herein, under Resolution 117-1972.

Advertise, Notice to Property Owners, December 22 and 29, 1972.

Hearing on Confirmation Thursday, January 11, 1973 at 3:30 p.m.

Notices mailed December 29, 1972.

Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Alley Resolution No. 5607-1972 to improve the first alley north of Tennessee Avenue.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment December 28 and 29, 1972. Hearing on Confirmation of Assessment Roll Thursday, January 11, 1973 at 3:30 p.m. Notices to be mailed December 29, 1972.
Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Sidewalk Resolution No. 5617-1972 on the north side of Vance Avenue.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment December 28 and 29, 1972. Hearing on Confirmation of Assessment Roll Thursday, January 11, 1973 at 3:30 p.m. Notices to be mailed December 29, 1972.
Received Final Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution No. 5451-Y-1968 Block 14 of the Downtown Sidewalk Project bounded by Wayne Street, Calhoun Street, Washington Boulevard, and Harrison Street.	CONFIRMED and ordered sent to the Department of Finance.
Received inspection report from Water Pollution Control Engineering Department and Completion Affidavit of Land Excavating, Inc. with Guaranty Bond in the amount of $3,700.00, signed by Great American Insurance Company for Special Sewer - Sambo's Restaurant at Lake Avenue and U. S. 30 Bypass.	Approved. Ordered acceptance letter written.
Received inspection report from Water Pollution Control Engineering Department and Completion Affidavit of Bercot-Gibson Construction Co., Inc., with Guaranty Bond in the amount of $7,840.00, signed by the American States Insurance Company for Sanitary Sewer - WGL Studios - News-Sentinel Broadcasting Company.	Approved. Ordered acceptance letter written.

12. Received revised General Rules and Regulations for the Fort Wayne Water Pollution Control Utility. Effective December 13, 1972.	Approved and adopted. A true copy of which Resolution is incorporated by reference herein and appears in Minutes herein under Fort Wayne Water Pollution Control Utility - General Rules and Regulations.
13. Received letter dated December 5, 1972 from the United States Environmental Protection Agency whereby they conveyed to the City of Fort Wayne ownership of the Phosphate Pilot Plant constructed in 1969 through a Research and Development Grant 11060 DXX under Resolution 233-1969.	Approved and accepted. A true copy of which letter is incorporated by reference herein and appears in Minutes herein under United States Environmental Protection Agency.
14. Received Lease Agreement between the City of Fort Wayne, Indiana and Job's House, Inc. whereby the City grants Job's House, Inc., the use of the old City Utilities Office Building at 308 East Berry Street for drug rehabilitation purposes. Said free lease may be terminated by either party upon a ten (10) day written notice.	Approved. A true copy of which Lease Agreement is incorporated by reference herein and appears in Minutes herein under Real Estate Lease.
15. Received inspection report from Water Pollution Control Engineering Department and Completion Affidavit of French Construction, Inc., with Guaranty Bond in the amount of $7,500.00, signed by the Auto-owners Insurance Company for Special Sewer - Evans Street.	Approved. Ordered acceptance letter written.

Meeting adjourned at 9:25 a.m.

Ronald L W Bonn

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, December 14, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	PRESENT: J. D. Boswell, R. L. Bonar W. G. Williams Edna I. Smith, Clerk
Continued from November 9, 1972 HEARING ON CONFIRMATION Sidewalk Improvement Resolution 5624-1972, to construct a sidewalk on the south side of State Boulevard from the east curb line of Randallia Drive to a point approximately 200 feet east thereof.	RESCIND all action.
HEARING ON CONFIRMATION OF ASSESSMENT ROLL Sidewalk Improvement Resolution No. 5451-z-1968 for improving the sidewalk in Block 2 of the Downtown Sidewalk Project, more particularly described as the west side of Calhoun Street and the north side of Main Street,	The Board determined the benefits as indicated. Ordered the Street Engineering Department to prepare the Final Assessment Roll.
HEARING ON CONFIRMATION OF ASSESSMENT ROLL Sidewalk Improvement Resolution No. 5610-1972 to construct sidewalk on the south side of Vance Avenue from the east curb line of Devon Drive to the west curb line of Kingsley Drive, except where sidewalk is now in place.	The Board determined the benefits as indicated. Ordered the Street Engineering Department to prepare the Final Assessment Roll.
HEARING ON CONFIRMATION OF ASSESSMENT ROLL Street Improvement Resolution NO. 5612-1972 to pave Bradwood Terrace from the east property line of Elwood Drive to the west property line of Reed Road to a width of 27 feet.	The Board determined the benefits as indicated. Ordered the Street Engineering Department to prepare the Final Assessment Roll. $5,000.00 is to be withheld from contractor until the engineers are satisfied with the driveway and drainage problems and until ground restoration is approved.

5. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sidewalk Improvement Resolution NO. 5613-1972 for the construction of sidewalk on the south side of Vance Avenue from the east property line of Glencairn Drive to the west property line of Devon Drive.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare the Final Assessment Roll.

6. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sidewalk Improvement Resolution NO. 5614-1972 for the construction of sidewalk on the south side of Vance Avenue from the east property line of Kingsley Drive to a point approximately 166 feet east thereof.

Continued to January 11, 1973 at 3:30 p.m.

Engineers to check grading at property of Alice Huth.

7. Continued from November 9, 1972
HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Declaratory Resolution NO. 1306-1971 for the vacation of the alley between Fairfield Avenue and South Wayne Avenue from the north property line of Home Avenue to a point 120' north thereof. Lots 1, 2 and 8, all in S. B. Bond's Amended Subdivision.

CONFIRMED and sent to the Department of Finance with understanding that petitioner will complete all items set forth in Agreement of July 24, 1971.

8. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Declaratory Resolution No. 1309-1971 for the vacation of the alley between Murray Street and Wallace Street from the east property line of the first alley east of Calhoun Street to a point 51.5 feet west of the west property line of Clinton Street.

CONFIRMED and sent to the Department of Finance.

9. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Declaratory Resolution No. 1326-1972 for the vacation of Riverview Drive from the easterly right-of-way line of Edgewood Avenue to the westerly right-of-way line of Clinton Street.

CONFIRMED and sent to the Department of Finance.

10. HEARING ON CONFIRMATION

Declaratory Resolution NO. 1328-1972 for the vacation of Wall Street from the east line of Lot 143, Swinney's Addition to a point 325.65 feet west of said point being on the Northerly projection of the west right of way line of Phenie Street also for the vacation of Phenie Street from the north right of way line of Swinney Avenue to the south right of way line of Wall Street.

Continued to January 11, 1973 at 3:30 p.m.

Remonstrances received from Paul Nieter, Attorney for property owners

HEARING ON CONFIRMATION Declaratory Resolution NO. 1329-1972 for the vacation of the alley described as being the west 12 feet of the east 31 feet of Lot 154 in Swinney's Addition, also the alley north of Lots 155 through 160, in Swinney's Addition, also the North-South alley along the east bank of St. Mary's River from the North line of Taylor Street to the North line of a vacated alley lying south of Penn-Central Railway.	CONFIRMED on condition that an Agreement be provided as follows:. 1. Riverbank maintenance be provided by Essex International, Inc. 2. No obstruction will be placed on riverbank to prohibit use of riverbank for natural resources activities. Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.
2. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, N. P. Stein, to barricade the east-west alley south of Pontiac from Abbott to Queen Streets on Monday, December 18, 1972 to Friday, December 22, 1972 from 8:00 a.m. to 5:00 p.m.	Approved and permit issued.
3. Permission was granted to Indiana Jaycees, William Pettit, to hold a parade on May 12, 1973. Starting point Corner Clinton and Brackenridge at 8:00 a.m. and terminating at Parking Lot on Harrison Street across from the Landing at 9:30 a.m. PURPOSE: State Convention.	Approved and permit issued.

Meeting adjourned at 5:15 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Tuesday, December 19, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meetings held Thursday, December 7, 1972 at 9 a.m.; Thursday, December 7, 1972 at 3:30 p.m.; Tuesday, December 12, 1972 at 9 a.m.; and Thursday, December 14, 1972 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

   Approved.

2. Received payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. Received street cut applications.

   Approved and permits issued.

400 Boltz ---------------------- NIPSCO
5434 Brighton ---------------Water Const.
832 S. Calhoun ------------------ NIPSCO
2906 S. Clinton (alley) -------- NIPSCO
4510 S. Colonial ---------- Water Const.
200 Douglas --------------- Water Const.
1506 Dubois --------------- NIPSCO
1211 Emily --------------- NIPSCO
1325 Fletcher ------------ NIPSCO
Forest Hill & Cumberland -- NIPSCO
Gay and Eliza (1331 Gay)(1 Gay) -- NIPSCO
Hanover, S. of Railroad --- Water Const.
5725 Hatfield Rd. --------------- NIPSCO
1712 Hawthorne ----------------- NIPSCO
5102 Hoagland ----------- Water Const.
Homewood DRive ---------- WPC Engr.
Indiana 4801 ------------ NIPSCO
4417 Industrial Road ----- NIPSCO
Kitch and Pittsburgh ----- NIPSCO
6013 Kiwanis -------------- NIPSCO
Lake Avenue -------------- NIPSCO
Lakeridge Drive S/L/ Huntington Road (3)------- Nobis-Westropp
302 E. Lewis ------------------ NIPSCO
2200 Laverne ------------------ NIPSCO
423 E. Lewis -------------- NIPSCO
3816 Maplegrove -------------- NIPSCO
3930 Mobile ------------------- NIPSCO
540 Nettie ------------------- NIPSCO
2908 Pinewood Dr. (prkstrp) - Water Const.
Pittsburgh and Edsal ----------- NIPSCO
3004 Pittsburgh --------------- NIPSCO
415 E. Pontiac --------------- NIPSCO

1690 Randalia ---------------- NIPSCO
3612 Rogers (bore - prkstrp) Water Const.
11 E. Rudisill --------------- NIPSCO
4109 Rutland ---------------- NIPSCO
Sherwood Terrace & Indiana - WaterConst.
214 St. Mary's ------------- NIPSCO
1819 Sherman (alley) ---------- NIPSCO
734 Sinclair --------------- NIPSCO
6132 Southcrest Road (prkstrp)
---------- Water Const.
Spring & St. Mary's SE cor. ---- NIPSCO
2610 St. Louis (prkstrp) -- Water Const.
E. State & Inwood --------- Water Const.
E. State & Sherborne ------ Water Const.
Terrace Rd & BrookSt. NW cor. -- NIPSCO
Taylor & McKinley (2311Taylor) -- NIPSCO
210 W. Tillman Rd. (prkstrp)- Water Const.
4217 Trier Rd. ---------------- NIPSCO
Trixholme Add. ----------- WPC Engr.
1220 Ventura Lane (bore - prkstrp)
--------------- Water Const.
W. Wayne and Webster --- Water Const.
500 W. Wayne E/Fairfield -- Water Const.
5320 Webster ------------- NIPSCO
1619 Wells ------------- NIPSCO
4506 Winter ------------- NIPSCO

Received driveway applications. — Approved and permits issued.

6103 Bluespruce Court ---- R. F. Helmkamp
5225 Industrial Road -Pre-Engr. Metal Bldgs.
5304 Monarch Dr. -- A. D. Delagrange & Assoc.
5311 Monarch Drive - A. D. Delagrange & Assoc.
5320 Monarch Dr.---- A. D. Delagrange & Assoc.
5405 Monarch Dr. --- A. D. Delagrange & Assoc.
5411 Monarch Drive - A. D. Delagrange & Assoc.
2806 Prairie Grove Ave. Delagrange Homes, Inc.
3927 New Haven Ave. -----------Schwartz Const.
2908 Pinewood Dr. ------------ T. J. Lebrato
2806 Prairie Grove --- R. F. Helmkamp
Reed St. at NE/ cor. --- W. A. Sheets & Sons
2201 Sherman (2) /Florence - Hawk Const., Inc.
2201 Sherman (1) Little Turtle
Library -- Hawk Const., Inc.

Received Assessment Roll of Benefits and Damages prepared by the Water Pollution Control Engineering Department for Sewer Easement Resolution No. 115-1972 for Trixholme Addition. (Sewer 857-1972)

Approved and Board finds that the damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

Notices to be served December 29, 1972.

Hearing on Confirmation of Assessment Roll Thursday, January 11, 1973 at 3:30 p.m.

6. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department for Declaratory Resolution No. 1327-1972 for the vacation of Mercer Avenue from the south property line of Ventura Lane to the north property line of Farwood Avenue.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served December 29, 1972. Hearing on Confirmation of Assessment Roll Thursday, January 11, 1973 at 3:30 p.m.
7. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Alley Resolution No. 5549-1970, for improving the alley between Esmond Street and Wildwood Avenue from the east property line of Barr Street to the west property line of Lafayette Street.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment December 27 and 28, 1972. Hearing on Confirmation of Assessment Roll Thursday, January 11, 1973 at 3:30 p.m. Notices to be mailed December 28, 1972.
8. Received Performance and Guarantee Bond and invoice of Land Excavating, Inc., in the amount of $1,366.23 for construction of sanitary sewer connection for Mrs. Parcher at 1057 Charlotte Avenue. B.O. 133-72.	Approved and returned to Water Pollution Control Engineering Department to be paid by City Utilities Purchase Order NO. 8310.
9. Request was granted to Paul Eickhoff, 9125 Branstrator Road to barricade the alley in the rear of 618 Dayton Avenue on Monday, December 18, 1972 and Tuesday, December 19, 1972 until work is completed from 8:00 a.m. to 5:00 p.m. PURPOSE: To repair Sanitary Sewer.	Approved and permit was issued.
10.. Received Special Sewer Permit for Marathon Oil Company perpared by the Water Pollution Control Engineering Department, and Performance Bond of Hitzfield Excavating, Inc., to construct a Sanitary Sewer in the area of Lower Huntington and Winchester Roads.	Approved and Special Sewer Permit issued. Board Order Number 213-1972 issued.
11. Received AGREEMENT for Sewer Extension between the City of Fort Wayne, Indiana, and Mars Oil Corp. of Indiana, to construct a storm sewer in the area of Evans and Ormsby Streets.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Sewer Extension.

Received Special Sewer Permit for Gallmeyer Realty Company prepared by the Water Pollution Control Engineering Department, and Performance Bond of Yost Construction Company, Inc., to construct a Sanitary Sewer Extension for Hadley Road Racquet Club.	Approved and permit was issued for Special Sewer.
Received Special Sewer Permit for Don Shive, Inc., prepared and approved by the Water Pollution Control Engineering Department, and Performance Bond of Don Shive, Inc., to construct a Sanitary Sewer known as Phase II, Blackhawk Forest Apartments, Buildings 17 through 25.	Approved and Special Sewer Permit issued.
4. Received Water Contract No. 7222, prepared by and approved by the Water Engineer, between the Fort Wayne Water Utility and Spy Run Development Company (GALLMEYER REALTY) on Gettysberg Pike East from the East right-of-way line of Hadley Road eastward 750 feet to a point, etc.	Approved. Ordered sent to the Water Engineer to be recorded.
5. Permission was granted to General Telephone Company, 140 Jacob Street, % Forest Kreigh, to close the alley between Washington and Wayne and Clinton and Calhoun Streets on Monday, December 18, 1972 at 3:00 p.m. to Friday, December 22, 1972 at 5:00 p.m. PURPOSE: To repair telephone cable.	Approved and permit was issued.
6. Received invoice No. 13 of Henry B. Steeg & Associates, Inc., for engineering services on Storm Water Demonstration Grant Project EPA No. 11020 GYU as per contract of June 2, 1971 for the amount of $29,862.76.	Approved. Ordered the City Utilities to pay invoice No. 13 of Henry B. Steeg and Associates, Inc., for $29,862.76 from the Water Pollution Control Utility Fund.
7. Pursuant to letter of Agreement with McNamee, Porter & Seeley, dated June 5, 1972, in which the City of Fort Wayne agreed to pay for services of a resident engineer during repair of Hurshtown Reservoir, invoice has been received in the amount of $9,716.24.	Approved and ordered City Utilities to pay invoice of McNamee, Porter & Seeley in the amount of $9,716.24 from the Utility Fund. (Water)
8. Received executed Agreement for Purchase of real estate from J. H. and Annie R. Cook, whereby the City of Fort Wayne wishes to purchase the north 26 feet of Lot 211 in Lewis Addition for $4,400.00.	Approved and ordered sent to the Common Council Tuesday, January 9, 1973 at 8 p.m.

19. Received Water Contract No. 7224, prepared by and approved by the Water Engineer, between the Fort Wayne Water Utility and Arbor, Inc. on Nevada from the West property line of Berkley Avenue, 810 ± feet westward to the West property line of Lot 142.	Approved. Ordered sent to the Water Engineer to be recorded.
20. Received Water Contract No, 7223, prepared and approved by the Water Engineer, between the Fort Wayne Water Utility and Spy Run Development, Inc., on the north side of Rockbuster Blvd., from the existing water main westward approximately 940 ± feet.	Approved. Ordered sent to the Water Engineer to be recorded.
21. Received Water Contract No. 7219, prepared and approved by the Water Engineer, between the Fort Wayne Water Utility and Spy Run Development, Inc., in the area of Rockbuster Boulevard.	Approved. Ordered sent to the Water Engineer to be recorded.
22. Received Special Sewer Permit for Shirmeyer Assocs., Inc., prepared by the Water Pollution Control Engineering Department to construct a sanitary sewer known as Pheasant Run Phase II - Block "A". Nobis-Westropp Construction Co., Inc., is to perform the construction work.	Approved and Special Sewer Permit issued.
23. SEWER TAP AGREEMENT REIMBURSEMENT: Permission is hereby granted to James Koch and Lyle Link for Lots 5, 6 and 66 in Rolling Green (Properties on Sewer Resolution NO. 798). Said permission is conditioned upon the payment of $177.18 to the City of Fort Wayne as reimbursement under a certain sewer agreement No. SC-63-5, dated the 18th day of October, 1963, who are parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Control Engineering Department, the Permit Room.	Approved. Ordered the City Utilities to remit the sum of $177.18, to Dav-Way Realty, which sum was deposited with the City by the applicants, to be distributed as set out in the Special Sewer Tap Agreement.
24. SEWER TAP AGREEMENT REIMBURSEMENT: Permission is hereby granted to M. K. Zent, Norbert Bellis, and James Koch for 4203 Hessen Cassel Road, 4903 Wayne Trace, and Lot 423 Fairfax 2nd Addition (Properties on Sewer Resolution No. 799). Said permission is conditioned upon the payment of $177.18 to the City of Fort Wayne as reimbursement under a certain sewer agreement No. SC-63-5, dated the 18th day of October, 1963, who are the parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Control Engineering Department, the Permit Room.	Approved. Ordered the City Utilities to remit the sum of $177.18, to Dav-Way Realty, which sum was deposited with the City by the applicants, to be distributed as set out in the Special Sewer Tap Agreement.

Meeting adjourned at 9:35 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, December 21, 1972

Department of Public Works
Office of th- Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar

HEARING ON CONFIRMATION:

Water Improvement Resolution No. 1003-1972 - along the north side of Oakwood Drive, from the west property line of Hessen Cassel Road to the west property line of lot 16, also along the west side of Waycross Drive from the north property line of Oakwood Drive to the north property line of lot 19, all in Woodland Acres Addition.

CONFIRMED.

Advertise, Notice to Contractors, December 29, 1972 and January 5, 1973.

Receive Bids Tuesday, January 9, 1973 at 9 a.m.

Ordered Water Engineer to prepare Bid Documents.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution NO. 113-1972 - in the area of Lower Huntington Road and Winchester Road. (Sewer 863-1972).

CONFIRMED and ordered sent to the Department of Finance.

Ordered Water Pollution Control Engineering Department to have Plat recorded.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL:

Sewer Easement Resolution No. 116-1972 - Pheasant Run Off-Site Extension.

CONFIRMED and ordered sent to the Department of Finance.

Ordered Water Pollution Control Engineering Department to have Plat recorded.

Received the Plat of Countrybrook, Section I, submitted and approved by the City Plan Commission.

Approved.

5. STREETS - GUARANTEE BOND

Received inspection report from the Street Engineer and Guarantee Bond of Contractor, in the amount of $1,500.00, signed by Indiana Bonding & Surety Company for the construction of Maycrest Drive from the south property line of Lake Avenue to a point 390 feet south thereof.

Approved.

Ordered acceptance letter written.

6. Permission was granted to ITT Technical Institute, Michael L. Trulock, to hold a parade on December 22, 1972. Starting point: ITT Technical Institute at 10:00 a.m. Termination point: WOWO Radio Station at 12:00 noon.
PURPOSE: Institute Parade

Approved and permit issued.

7. Permission was granted to ITT Technical Institute, Regis B. Zachrel, to hold a parade on December 22, 1972. Starting point: ITT Technical Institute at 2:00 p.m. Termination point: WOWO Radio Station at 4:00 p.m.
PURPOSE: Institute Parade

Approved and permit issued.

8. Received Agreement to Purchase Real Estate whereby the City of Fort Wayne, Indiana proposes to purchase from Ohio Plate Glass Company, Inc. the following described property for the sum of $75,000.00:

Lots 172, 173, 174, 175, and 205 in Lewis Addition. Said property commonly known as 415-19 East Wallace Street and 440 and 444 East Wallace Street.

Approved and ordered sent to the Common Council Tuesday, January 9, 1973 at 8:00 p.m.

9. Invitational Bids were requested by the Purchasing Department for 50 Planters, 20 Benches, and 10 Waste Receptacles to be placed in the downtown area:

BETTER BILT PRODUCTS	-	No Bid
STRUCTURAL FIBERGLASS	-	No Bid
LANDSCAPE FORMS	-	$18,027.00
ARCHITECTURAL FIBERGLASS	-	No Bid
MIDWEST TILE & CONCRETE	-	No Bid

The Bid of Landscape Forms, Inc. was accepted in the amount of $18,027.00.

Ordered sent to the Common Council Tuesday, January 9, 1973 at 8:00 p.m.
P.O. 11884

10. Received a request from Northern Indiana Public Service, 1501 Hale Avenue, to close the east-west alley south of Pontiac from Queen Street to Radcliff from December 26, 1972 to December 29, 1972 from 8:00 a.m. to 5:00 p.m.
PURPOSE: To repair gas leak

Approved and permit issued.

Received approved plan and profile, submitted by the Water Pollution Control Engineer, for construction of storm and sanitary sewer facilities to serve Ramblewood Apartments.	Approved. Issue Board Order Number 216-1972.
Received Special Sewer Permit for Cambridge Square Phase II prepared and approved by the Water Pollution Control Engineer, and Performance Bond of Nobis Construction Company, to construct a sanitary sewer known as Cambridge Square Phase II.	Approved and Special Sewer Permit issued.
Received inspection report from the Water Pollution Control Engineer and Completion Affidavit of Jay Fox Construction, with Guarantee Bond in the amount of $5,000 signed by the Aetna Casualty and Surety Company for Special Sanitary Sewer Extension to Georgetown Square Shopping Center.	Approved. Ordered acceptance letter written.
The City of Fort Wayne has been offered the property of Janet Sundheimer located at the southeast corner of Lafayette Street and Wildwood Avenue by paying current and delinquent taxes and abstracting costs in approximate amount of $1,044.90. Ownership of the property fits well into future street planning in the event City would wish to remove jog in street.	Approved and request Councilmanic approval Tuesday, December 28, 1972 at 8 p.m.
Received Legal Description and Dedication for real estate commonly known as RAMBLEWOOD APARTMENTS, according to the Plat and Development Plans.	Approved.

Meeting adjourned at 4:15 p.m.

F D Boswell

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, December 28, 1972

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar,
W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received street cut applications.

Approved and permits issued.

4651 Bradwood (prkstrp)	Water Const.
3525 Broadway (bore - prk-strip)	Water Const.
618 Dayton (alley)	P. Eickhoff
1702-1720 Franklin (prkstrp)	Water Const.
6109 Guild (bore - prkstrp)	Water Const.
2102 Hazelwood (prkstrp)	Water Const.
Lafayette & Murray (street)	Water Const.
4711 S. Lafayette (street)	Water Const.
1643 Lakeview (prkstrp)	Water Const.
1616 Lakewood (prkstrp)	Water Const.
1616 Lakewood	NIPSCO
Leo Rd. (front Holiday Theater)	NIPSCO
2722 L. Huntington Rd. (street)	Water Const.
1810 Magnavox (prkstrp)	Water Const.
1400 Martin St.	NIPSCO
901-917 Mildred (2)	R & A Plumb.
901-917 Mildred (prkstrp)	Water Const.
5304 Monarch (bore - prkstrp)	Water Const.
5311 Monarch (prkstrp)	Water Const.
5320 Monarch (bore - prkstrp)	Water Const.
5405 Monarch (prkstrp)	Water Const.
5411 Monarch (prkstrp)	Water Const.
3322 Mono Gene	NIPSCO
3115 Pittsburgh	NIPSCO
2117 Reed Rd. (prkstrp)	Water Const.
3612 Rodgers	E. D. Baker
Rolston & Springfield (prkstrp)	Water Const.
4117 Rutland	NIPSCO
4125 Rutland	NIPSCO
1008 St. Mary's Ave	NIPSCO
3216 Senate (prkstrp)	Water Const.
1122 Trick Ave. (prkstrp)	Water Const.
1021 Washington Center Rd.	NIPSCO

Received inspection report and Primary Assessment Roll prepared by the Water Pollution Control Engineering Department for Sewer Improvement Resolution No. 858- - Thompson, Dinnen, estis Avenues - in Thompson's Third Addition.

Primary Assessment Roll approved.

Advertise, Notice of Assessment Roll, January 5 & 12, 1973.

Hearing on Confirmation of Assessment Roll Thursday. January 18, 1973 at 3:30 p.m.

Notices to be mailed January 5, 1973.

Received Contract, Guaranty and Liability Bonds of Bercot, Inc., in the amount of $20,896.10, prepared by the Water Engineering Department, signed by General Insurance Company of America for Water Main Improvement Resolution No. 1005-1972 all in Hickory Grove Addition, Section "A".

Approved.

Ordered Contract, in the amount of $20,896.10, sent to the Common Council Tuesday, January 9, 1973 at 8 p.m.

Permission was granted to Tuberculosos Association of Allen County, 802 W. Wayne Street to park the X-Ray Cruiser on the east side of Court Street, in the first two spaces north of Berry Street each Friday from 10;00 a.m. to 4:00 p.m. starting:

January 5, 1973; January 12, 1973;
January 19, 1973; January 19, 1973;
January 26, 1973; February 2, 1973;
February 9, 1973; February 16, 1973;
February 23, 1973; March 2, 1973;
March 9, 1973; March 16, 1973:
March 23, 1973; and March 30, 1973.

Approved and permit was issued.

Received Quit Claim Deed from Stephen D. Muldoon and Linda L. Muldoon, husband and wife, whereby they release and quit claim to the City of Fort Wayne, Indiana, and Richard Feipel and Esther Feipel, husband and wife, whereby they release and quit claim to the City of Fort Wayne, Indiana, the following described real estate: in Allen County, Indiana.

Lot 80 McCullochs 2nd Addition

Said Quit Claim Deed recorded October 5, 1972, item No. F-7242 - 72 - 22222.

This Quit Claim Deed from Stephen D. Muldoon and Linda L. Muldoon and Richard Feipel and Esther Feipel was made a matter of record. (gift to City)

A true copy of which Deed is incorporated by reference herein and appears in Minutes herein under Quit Claim Deed.

8. Received Quit Claim Deed from Stephen D. Muldoon and Linda L. Muldoon, husband and wife, and Richard Feipel and Esther Feipel, husband and wife, whereby they release and quit claim to the City of Fort Wayne, Indiana, the following described real estate in Allen County:

   East 1/2 Lot 212 Eliza Hanna Sr. Addition commonly known as 1342 Hayden Street.

   Said Quit Claim Deed recorded October 5, 1972, Instrument F- 7241 - Item No. 72-22223.

This Quit Claim Deed from Stephen D. Muldoon and Linda L. Muldoon and Richard Feipel and Esther Feipel was made a matter of record. (gift to City).

A true copy of which Deed is incorporated by reference herein and appears in Minutes herein under Quit Claim Deed.

9. MEMORANDUM OF AGREEMENT

   Rental agreement between Board of Public Works and Allen County Commissioners whereby Board of Public Works will lease 100 parking spaces on Calhoun Street lot to the Allen County Commissioners at a rate of 35 cents per day or $175 per week for a term of 52 weeks ending December 31, 1973. This agreement entered into the 26th day of December, 1972, by the Board of Public Works and Allen County Commissioners. Amount due to Board of Public Works under this rental agreement shall be paid by Board of Public Works deducting monthly rental from City-County Building Maintenance payment. This agreement subject to renewal on January 1, 1974, upon agreement of both signing parties.

Approved.

10. Received Agreement between the State Highway Commission and the City of Fort Wayne regarding lighting of intersections of I-69 at its interchange with U. S. 24, U. S. 30-33 and U. S. 27 with the Fort Wayne City Limits.

Approved.

A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein under Agreement.

Meeting adjourned at 10:00 a.m.

D. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna J. Smith

Edna J. Smith, Clerk

Wednesday, January 3, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Tuesday, December 19, 1972 at 9 a.m.; Thursday, December 21, 1972 at 3:30 p.m.; also Thursday, December 28, 1972 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved and ordered sent to the Department of Purchasing.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. RECEIVE BIDS:

Sanitary Sewer Improvement Resolution No. 848-1972 in the area of the Homewood Addition.

			ALTERNATE
BERCOT, INC.	-	$56,000.50	$61,773.50
JOHN DEHNER, INC.	-	$49,725.50	$49,506.60
EARTH CONST. & ENGR.	-	$57,830.00	$52,554.00
HIPSKIND ASPHALT CORP.	-	$52,144.50	$54,087.00
SCHEELE CONST., INC.	-	$52,594.50	$55,069.50

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Award Contract Monday, January 8, 1973 at 9 a.m.

4. RECEIVE BIDS:

Sewer Improvement Resolution No. 857-1972 for sanitary sewers and laterals in the Trixholme Addition area.

BERCOT, INC.	-	$204,749.00
JOHN DEHNER, INC.	-	$216,999.03
EARTH CONST. & ENGR.	-	$240,311.50
HIPSKIND ASPHALT CORP.	-	$194,190.00
SCHEELE CONST., INC.	-	$254,225.30

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Award Contract Monday, January 8, 1973 at 9 a.m.

5.	Received street cut applications. 2902 Cambridge Blvd. -------- NIPSCO 5115 Fernwood Ave. (bore - parkstrip) ---- Water Const. McMillen Park (street) -- Water Const. 5319 Monarch Dr. (prkstrp)- Water Const. Pontiac & Adams Sts. --------- NIPSCO 1111 Webster /E. Jefferson St. -- ----------- Water Const.	Approved and permits issued.
6.	Pursuant to Declaratory Resolution No. 1314-1972, for the vacation of Darrow Avenue from the east property line of Calhoun Street to the west property line of Clinton Court, which was taken under advisement at Public Hearing April 6, 1972, the Board now confirms the Assessment Roll.	CONFIRMED and ordered sent to the Department of Finance.
7.	Received Assessment Roll of Benefits and Damages prepared by the Street Engineering Department for Declaratory Resolution No. 1329-1972 for the vacation of alley in Swinney's Addition.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served January 19, 1973. Hearing on Confirmation of Assessment Roll Thursday, February 1, 1973 at 3:30 p.m.
8.	Received Final Assessment Roll prepared by the Street Engineering Department, for Street Improvement Resolution No. 5612-1972 for improving Bradwood Terrace from the east property line of Elwood Drive to the west property line of Reed Road.	CONFIRMED and ordered sent to the Department of Finance.
9.	Received Final Assessment Roll prepared by the Street Engineering Department, for Sidewalk Improvement Resolution NO. 5613-1972 for the construction of sidewalk on the south side of Vance Avenue from the east property line of Glencairn Drive to the west property line of Devon Drive, except where sidewalk is now in place.	CONFIRMED and ordered sent to the Department of Finance.
10.	Received Final Assessment Roll prepared by the Street Engineering Department, for Sidewalk Improvment Resolution No. 5610-1972 for the construction of sidewalk on the south side of Vance Avenue from the east curb line of Devon Drive to the west curb line of Kingsley Drive, except where sidewalk is now in place.	CONFIRMED and ordered sent to the Department of Finance.

1. Received Final Assessment Roll prepared by the Street Engineering Department, for Sidewalk Improvement Resolution No. 5451-Z-1968 for the improving of sidewalk in Block #2 of the Downtown Sidewalk Project.

CONFIRMED and ordered sent to the Department of Finance.

2. Invitational Bids were requested by the Purchasing Department for one (1) Hydraulic Power Sweeper and attachments for use in City Parking Garage as follows:

TENNANT CO. ---------------	$6,426.00
INDUSTRIAL SANITATION ------	$5,200.00
STOCKBERGER MACHINERY -----	no bid
RILEY LAWN & GOLF ---------	no bid

The Bid of Tennant Company was accepted in amount of $6,426.00 under Civil City Purchase Order No. 11937 dated December 5, 1972.

The bid of Industrial Sanitation did not meet specifications.

Ordered sent to the Common Council Tuesday, January 9, 1973 at 8 p.m.

13. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, % H. P. Stin, to barricade the alley between Dodge and State and Forest and Florida on Thursday, December 28, 1972 from 11 a.m. to 4:30 p.m. PURPOSE: Renewing Drips and Checking for freeze-ups.

Approved and permit was issued.

4. Received a request from Disabled American Veterans, Chapter 1 & 40, % Earl Klingenberger, 1833 Kinsmoor Avenue, for permission to sell "forget-me-nots" on sidewalks in downtown area and factory area on Thursday, Friday and Saturday, May 3, 4 & 5, 1973. PURPOSE: Proceeds to be used for patients in Veterans Hospitals.

Approved and permit issued.

15.

RESOLUTION No. 59-101-15

BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

WHEREAS, in 1967 said Board adopted a fee schedule for cut permits to cut or tunnel into a public street or alley right of way, and

WHEREAS, said fee schedule is found to be inadequate to cover the related costs in connection with the permit processing, approval, inspection and resultant street repair, resurfacing and/or reconstruction, and

WHEREAS, the City of Fort Wayne has expended millions of dollars for street construction, reconstruction and resurfacing, and

WHEREAS, Utility cuts are destroying the integrity of these newly constructed streets and accelerating the deterioration at an alarming rate, causing great cost and inconvenience to the citizens of Fort Wayne,

NOW, THEREFORE, the Board of Public Works hereby enacts a new cut fee schedule (copy incorporated herein) effective February 1, 1973, which constitutes a more equitable charge for the privilege of utilizing the public right of way of the City of Fort Wayne. The Right of Way Permit Engineer is hereby instructed to enforce the provisions and rates set forth herein.

Meeting adjourned at 10:15 a.m.

Ronald L Bonar

William S. Williams

BOARD OF PUBLIC WORKS

ATTEST:

Edna L Smith

Edna L. Smith, Clerk

Monday, January 8, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell
R. L. Bonar
W. G. Williams
Edna I. Smith,Clerk

PRESENT:

R. L. Bonar
W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

   Approved.

2. Recieved payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application.

   Approved and permit issued.

   Broadway /NEC Oakdale Dr. ------C. A. Lehman & Sons

4. Received street cut applications.

   Approved and permits issued.

   2514 Alma ---------------------- NIPSCO
   2916 S. Anthony Blvd. ----------- NIPSCO
   1615 N. Anthony Blvd. ----------- NIPSCO
   1616 N. Anthony ---------------- NIPSCO
   S. Anthony & E. Washington ----- NIPSCO
   Ardmore Ave. / Rockbuster Dr. -- Water Engr.
   Barr & Esmond ----------------- NIPSCO
   3406 S. Barr ------------------- NIPSCO
   1215 W. Berry ------------------ NIPSCO
   2726 Broadway ------------------ NIPSCO
   2125 Fairfield on Butler ------- NIPSCO
   Calhoun (alley - Williams and Masterson) ------------- Gen. Tele.
   1900 & 1924 Calhoun S. --------- NIPSCO
   Calhoun & Douglas NE cor. ------- NIPSCO
   1704 Cass St. ------------------ NIPSCO
   917 Clayton ------------------ NIPSCO
   3003 Coliseum Blvd W. ---------- NIPSCO
   123 Columbia (alley) ---------- NIPSCO
   3220 Dwenger (prkstrp) ---------- Water Const.
   2326 Florida ----------------- NIPSCO
   2411 Forest Park (alley) ------- NIPSCO
   3404 Glenhurst ----------------- NIPSCO
   735 High -------------------- NipSCO
   Homedale / Hessen Cassel Road - Water Engr.
   2504 Lake Ave. ----------------- NIPSCO
   1832 Lumbard ------------------- NIPSCO
   2119 W. Main ------------------- NIPSCO
   2100 W. Main ------------------- NIPSCO
   2409 & 2417 W. Main ------------ NIPSCO
   906 Milton --------------------- NIPSCO
   Oxford ST. /Abbott St.----------- NIPSCO
   2105 Packard ------------------ NIPSCO
   2540 Reed St. ------------------ NIPSCO
   2222 Shadybrook ---------------- NIPSCO

Smith ---------------- NIPSCO
Southview ------------- NIPSCO
Tyrone Rd. ------------- NIPSCO
300 E. Washington (alley) - NIPSCO
E. Wayne (alley) ------ NIPSCO
901 Wilt (alley) ---------- NIPSCO

Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Improvement Resolution NO. 848-1972 for sanitary sewer in the area of Homewood Addition.

Award held in abeyance until letters are sent to property owners regarding alternate routing.

Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Improvement Resolution No. 857-1972 for sewer in the Trixholme Addition.

AWARD CONTRACT to Hipskind Asphalt Corporation at and for their Bid in the amount of $194,190.00, subject to Councilmanic Approval.

Permission was granted to the Fort Wayne Storage Company ,% Mrs. Beaumont, 806 Hayden Street (03) to block the east bound lane of traffic (right hand lane against curb) on Calhoun Street in the front of the Strauss Building, 800 block of Calhoun Street to move the Rice Insurance Agency from the Strauss Bldg. to the Commerce Building, 100 block of West Berry Street, also blocking the right hand lane on south side of street in front of the Commerce Building on Tuesday, January 9, 1973 to move from Strauss Building 9 a.m. to 12:00 noon and to block the right lane of the front of Commerce Building 1 p.m. to 4 p.m.
PURPOSE: To move Rice Insurance Agency.

Approved and permit was issued.

Pursuant to sale of City Utilities property for $350.00 to Arnold Moser recorded in Minutes Record 56-226-2 on which legal description was incorrect, said error has been corrected, a new appraisal made and a deed issued. Mr. Moser has paid an additional $405.00 making total property sale $755.00. Property was appraised at $600.00. The following legal description voids the previous deed issued August 4, 1971:

Approved and deed copy on file in Board of Public Works.

Part of the North half of Section 22, Township 32 North, Range 13 East in Allen County, State of Indiana, described as follows, to-wit:

Beginning at a point on the south line of the northeast one-quarter (1/4) of said section, said point being situated 247.0 feet east of the center of said section, thence North 28 degrees 59 minutes West 75.90 feet, thence North 40 degrees 03 minutes 40 seconds West 265.2 feet, thence South 84 degrees 40 minutes 12 seconds East 192.36 feet, thence South 3 degrees 37 minutes and 27 seconds east 252.0 feet to the place of beginning, containing 0.505 acres more or less.

Subject to all taxes, easements, and assessments of record.

9.	Received Partial Payment Estimate No. 6, (FINAL) in the amount of $12,435.30, for Foundation and Bridge Corporation, approved by Campbell, DeBoe, Giese & Weber, for work performed on Contract No. 1495-3, Building Alterations for Modular Boiler Installation for City Light and Power Works.	Approved. Ordered the City Utilities to pay invoice of Foundation and Bridge Corporation, in the amount of $12,435.30, from Electric Utility Fund.
10.	Received Invoice No. 5 of Westenhoff and Novick, Inc., in the amount of $12,994.94 for professional engineering services in connection with Planning of the Proposed East-West Highway Phase I.	Approved and ordered invoice of Westenhoff and Novick, Inc., in the amount of $12,994.94 paid from the Motor Vehicle Highway Fund.
11.	Received a request from Northern Indiana Public Service, 1501 Hale Avenue, % H. P. Stein, for permission to barricade the alley between Clara and Dodge And Beacon and Rolston Streets on Monday, January 8, 1973 at 11:00 a.m. to Wednesday, January 10, 1973 at 4:30 p.m. PURPOSE: Gas Leak	Approved and permit issued.

Meeting adjourned at 9:20 a.m.

Boswell

Ronald L. Bonar

William S. Williams

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Tuesday, January 9, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	PRESENT: R. L. Bonar, W. G. Williams Edna I. Smith
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk application. 420 E. Paulding Rd. on Burns Drive .... N. Keener Const.	Approved and permit issued.
4. Received street cut applications. 5227 Fernwood ---------------- NIPSCO 6014 Kiwanis ---------------- NIPSCO	Approved and permits issued.
5. RECEIVE BIDS: Water Main Improvement Resolution No. 1003-1972 - the north side of Oakwood Drive, from the west property line of Hessen Cassel Road to the west property line of lot 16, also along the west side of Waycross Drive from the north property line of Oakwood Drive to the north property line of lot 19, all in Woodland Acres Addition. BERCOT, INC. -------------------- $23,891.10 JOHN DEHNER, INC. ---------------- $24,723.25 SIMMONS & BRADY EXCAV., INC. ----- $23,219.70	Referred to the Water Engineering Department for tabulation and report. Award Contract Monday, January 15, 1973 at 9:00 a.m.

6. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of John Dehner, Inc. with Guaranty Bond in the amount of $2,000.00 signed by the United States Fidelity & Guaranty Company for Special Sanitary Sewer to serve Anthony Wayne Bank - Old Trail Road.

Approved and ordered Acceptance Letter written.

7.

RESOLUTION NO. 59-106-7

WHEREAS, on April 15, 1966, the City of Fort Wayne, Indiana Department of Redevelopment and the City of Fort Wayne entered into an Agreement whereby the City would sell to Redevelopment certain parcels of land in the Main Street Redevelopment area (Project No. Ind R-52) commonly known as old Fire Station No. I property and the Old Fort property, the City now requests an Ordinance by the Common Council approving sale of the following property for a sum of $131,362.00, all in accordance with Federal regulations for acquisition and sale of property in Redevelopment areas.

Legal Descriptions

(1) Lot Number 31 in County Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof.

Also

(2) Part of Lot 40 TABER's ADDITION to the City of Fort Wayne, Indiana, as recopied and recorded in Plat "O", page 6, in the office of the Recorder of Allen County, lying Southwesterly of the right-of-way of the former New York, Chicago, and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. survey of 1947, known as "Old Fort Park" and by metes and bounds described as follows, to-wit:

Commencing on the West line of said Lot 40 being coincidental with the East line of Lot 39 in COUNTY ADDITION to the City of Fort Wayne as recopied and recorded in Plat Book "O", page 3, at a point situated 22 feet normally distant Northerly of the North line of Main Street and 22.3 feet North of the South corner of said Lot 40; thence North 1 degree 30 minutes West (adjusted Baker bearing), a distance of 95.4 feet, more or less, to the Southwesterly right-of-way line of said railroad; thence South 58 degrees 20 minutes East on the line aforesaid, a distance of 131.1 feet to the West line of Clay Street as in said plat of TABER'S ADDITION established; thence South 33 degrees 16 minutes West, a distance of 4.3 feet, more or less, to a point situated 22 feet normally distant North of the North line of Main Street; thence South 78 degrees 20 minutes West on a line parallel to said Main Street, a distance of 108.4 feet to the point of beginning; containing 5350 square feet or, 0.123 acres, more or less.

Approved and ordered sent to the Common Council Tuesday, January 23, 1973 at 8:00 p.m.

Redevelopment will then deed back to the City, at a cost of $109,751.80, the property on which new Fire Station No. 1 is located and the Old Fort Park.

Meeting adjourned at 9:25 a.m.

Ronald L. Bower

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

EDNA I. SMITH, CLERK

Thursday, January 11, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

DUE TO THE UNAVOIDABLE ABSENCE OF DR. JERRY D. BOSWELL AND WILLIAM G. WILLIAMS, MEMBERS OF THE BOARD OF PUBLIC WORKS, NO MEETING WAS HELD.

THE FOLLOWING AGENDA WILL BE SUBMITTED TO THE BOARD AT THE PUBLIC HEARING TO BE HELD ON THURSDAY, JANUARY 18, 1973 at 3:30 P.M.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Alley Improvement Resolution No. 5607-1972, for improving the first alley north of Tennessee Avenue from the west property line of Kentucky Avenue to the east property line of Tecumseh Street.

Continued from December 14, 1972
HEARING ON COnfirmation of Assessment Roll

Sidewalk Improvement Resolution No. 5614-1972, for construction of sidewalk on the south side of Vance Avenue from the east property line of Kingsley Drive to a point approximately 166 feet thereof.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sidewalk Improvement Resolution No. 5617-1972, for construction of sidewalk on the north side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Drive.

4. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Alley Improvement Resolution No. 5549-1970, for improving the alley between Esmond Street and Wildwood Avenue from the east property line of Barr Street to the west property line of Lafayette Street.

5. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sewer Easement Resolution No. 115-1972, for the condemnation of a permanent and temporary right-of-way in Trixholme Addition. (Sewer Res. 857-1972)

6. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Declaratory Resolution No. 1327-1972, for the vacation of Mercer Avenue from the south property line of Ventura Lane to the north property line of Farwood Avenue.

7. Continued from December 14, 1972
HEARING ON CONFIRMATION

Declaratory Resolution No. 1328-1972 for the vacation of Wall Street from the east line of Lot 143, Swinney's Addition to a point 325.65 feet west of said point being on the Northerly projection of the west right of way line of Phenie Street also for the vacation of Phenie Street from the north right of way line of Swinney Avenue to the south right of way line of Wall Street.

8. HEARING ON CONFIRMATION

Sewer Easement Resolution No. 117-1972, for the condemnation of a temporary and permanent sewer easement - Pheasant Run Off-Site Extension.

Monday, January 15, 1973

Department of Public Works Office of the Board Room 910, City-County Building Regular meeting held at 9 a.m.	
J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk application. 1317 Stophlet St. ---------- A. Modezjewski	Approved and permit issued.
4. Received driveway application. 2929 Kentucky (rear) --- H. D. Palmer, Inc.	Approved and permit issued.
5. Received street cut applications. 3407 Debeney Dr. (prkstrp) - Water Const. 5727 Industrial Rd. --------- Fen-Guard, Inc. 416 Wiebke (South) (2) ----- NIPSCO 608 E. Pontiac ------- Troy Wilson 1530 Progress (prkstrp) -- Eickhoff Excav.	Approved and permits issued.
6. Received tabulation and recommendation prepared by the Water Engineering Department for Water Improvement Resolution No. 1003-1972 for Woodland Acres Addition.	AWARD deferred for further study.
Received Contract, Guaranty and Liability Bonds of Nobis-Westropp Construction Co., Inc., in the amount of $53,921.60, prepared by the Water Pollution Control Engineering Department, signed by the Fidelity and Deposit Company of Maryland for Sewer Improvement Resolution No. 863-1972 - area of Lower Huntington Road and Winchester Road.	Approved. Ordered Contract, in the amount of $53,921.60, sent to the Common Council Tuesday, January 23, 1973 at 8:00 p.m.

8. Received the Plat of Eldrado Hills, Section II, submitted and approved by the City Plan Commission.	Approved.
9. Received Water Improvement Resolution No. 1006-1972, final plans, estimate, specifications and property ownership list, prepared by the Water Engineering Department along the north side of Elmdale Drive, from the west property line of Hessen Cassel Road to the west property line of Lot #37, also on the Waycross Drive, from the south property line of Lot #35 to the existing Water Main on Sundale Drive, all in Hickory Grove Addition, Sections B & C.	Approved and adopted. A true copy of which Resolution No. 1006-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1006-1972. Advertise Notice to Property Owners, January 22, 1973. Hearing on Confirmation Thursday, February 1, 1973 at 3:30 p.m. Notices to be mailed January 22, 1973.
10. Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of Yost Companies, Inc., with Guaranty Bond in the amount of $7000.00 signed by Indiana Bonding and Surety Company for Special Sewer - Hadley Road Racquet Sanitary Sewer Extension.	Approved. Ordered acceptance letter written.
11. Permission was granted to Pettigrew & Sons, 333 Ley Road, to barricade the sidewalk on the Northwest corner of Jefferson and Calhoun Streets on Thursday, January 11, 1973 from 8:00 a.m. to 5:00 p.m. PURPOSE: Put roof on building on corner.	Approved and permit was issued.
12. Permission was granted to Seko, Inc., Box 6131, to close the street from 1618 South Calhoun to 1622 South Calhoun Street on Monday, January 15, 1973 to Friday, January 19, 1973. PURPOSE: Tearing down building.	Approved and permit was issued.
13. Received Change Order No. 1 in the amount of $812.00, for Shambaugh & Son, Inc., prepared by Henry B. Steeg & Associates, Inc., Consulting Engineers, covering work performed under Interim Phosphorus Removal Plant	Approved and ordered sent to the Common Council, Tuesday, January 23, 1973 at 8:00 p.m.
14. Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation, in the amount of $194,190.00, prepared by the Water Pollution Control Engineering Department, signed by Trinity Universal Insurance Company for Sewer Improvement Resolution No. 857-1972 - in the Trixholme Addition.	Approved. Ordered Contract in the amount of $194.190.00, sent to the Common Council Tuesday, January 23, 1973 at 8 p.m.

15. Received Partial Payment Estimate No. 11, in the amount of $10,780.00, of Henry B. Steeg & Associates, Inc. Consulting Engineers, for engineering services for Demonstration of Phosphate Removal and other Wastewater Treatment Techniques as per Agreement of July 15, 1968. (FINAL PAYMENT)	Approved. Ordered City Engineer to pay invoice of Henry B, Steeg and Associates, Inc., (FINAL PAYMENT) in the amount of $10,780.00, from the Water Pollution Control Utility Fund.
16. Received Special Sewer Permit for Kern's Toyland, Inc., prepared by the Water Pollution Control Engineer, and Performance and Guaranty Bond of Harley Graham Construction Company, to construct a storm sewer known as Kern's Toyland, Inc. Storm Sewer.	Approved and Special Sewer Permit issued. Board Order No. 6-1973 issued.
17. Received AGREEMENT for Sewer Extension between the City of Fort Wayne, Indiana, and BREDEMEYER'S LUNCH, INC., to construct a Sanitary Sewer to serve Bredegrau's Tavern - Bluffton Road.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Sewer Extension.
18. Received AGREEMENT for Sewer Extension between the City of Fort Wayne, Indiana, and NEWS-SENTINEL BROADCASTING COMPANY, INC., to construct a Sanitary Sewer to serve WGL Studios - in Arburn Place Addition.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Sewer Extension.
19. Received City Utilities Purchase Order No. 9008 in the amount of $21,903.50 covering the purchase of real estate on which the Wallace Street Substation is constructed. Said payment to be made to the Redevelopment Commission as property is in the Hanna-Creighton redevelopment area.	Approved and ordered sent to the Common Council Tuesday, February 13, 1973 at 8 p.m.

Meeting adjourned at 10:25 a.m.

Ronald K Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Thursday, January 18, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meeting held on Monday, January 15, 1973 at 9:00 a.m.

1. Received purchase orderd from the Purchasing Agent of City Utilities.

   Approved.

2. Received payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application.

   So. Harrison at 135 Main St. --- Hipskind Asphalt

   Approved and permit issued.

4. Received driveway applications.

   1921 Ida -------------- Star Const., Inc.
   1406 Lakewood --------- Herman P. Klug

   Approved and permits issued.

5. Received street cut applications.

   3008 Alexander ------------------ NIPSCO
   819 College ------------------ NIPSCO
   2026 & 2028 S. Clinton ----------- NIPSCO
   1512 Fairfield ------------------ NIPSCO
   5227 Fernwood (bore - prkstrp) ------------- Water Const.
   Hanna /Wallace ------------------ NIPSCO
   2539 Holton -------------------- NIPSCO
   LASALLE / S. of Monroe ---------- NIPSCO
   Laredo 3423 -------------------- NIPSCO
   (alley) 2329 Lillie ------------- NIPSCO
   3416 Lower Huntington Rd. -------- NIPSCO
   831 Milton --------------------- NIPSCO
   7211 Mowhawa Dr. (prkstrp) -- Water Const.
   Nevada -------------------- Water Engr.
   2908 Pinewood Dr. ------------ NIPSCO
   3329 E. State /Nordholme ----- NIPSCO
   4529 S. Wayne --------------- NIPSCO
   529 E. Suttenfield ---------- NIPSCO
   1229 Trick (bore - prkstrp) -- Water Const.
   1305 Trick (bore - prkstrp) -- Water Const.
   2132 Weisser Park --------------- NIPSCo
   2315 Wells Street ------ Shambaugh & Son

   Approved and permits issued.

Received Declaratory Improvement Resolution No. 1330-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Calhoun Street from the north property line of Sixth Street to the north property line of Putnam Street.

Approved and adopted. A true copy of which Resolution No. 1330-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1330-1973.

Advertise, Notice to Property Owners, January 26, 1973 and February 2, 1973.

Hearing on Confirmation Thursday, February 15, 1973 at 3:30 p.m.

Notices to be mailed February 2, 1973.

7. Received Declaratory Improvement Resolution NO. 1331-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Putnam Street from the East property line of Harrison Street to the west property line of Calhoun Street.

Approved and adopted. A true copy of which Resolution No. 1331-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1331-1973.

Advertise, Notice to Property Owners, January 26, 1973 and February 2, 1973.

Hearing on Confirmation on Thursday, February 15, 1973 at 3:30 p.m.

Notices to be mailed February 2, 1973.

8. Received Partial Payment Estimate No. 7, (FINAL) for $7,000.00, of Hipskind Asphalt Corporation, for work performed on Street Improvement Resolution No. 5577-1970, State Boulevard Project.

Approved and ordered invoice No. 7 (FINAL) of Hipskind Asphalt Corporation for $1750.00 from MVH Fund and $5250.00 from the IAR & S Fund. (total of $7,000.00)

9. Re: Resolution 5621-1972 - LEY ROAD Improvement.

Pursuant to the Common Council's disapproval of contract with John Dehner, Inc., in the amount of $211,678.39, because said contract specified concrete, which was the property owners choice, but which was $13,290.17 higher than the bid for asphalt; the Board, after receiving permission from the majority of property owners for use of either concrete or asphalt, deems it advisable to readvertise for bids with types of material at Board's discretion.

Approved.

Advertise, Notice to Contractors, January 26 and February 2, 1973.

Receive Bids Wednesday, February 7, 1973 at 9 a.m.

Ordered the Street Engineer to prepare new Bid Documents.

Meeting adjourned at 9:35 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Thursday, January 18, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar,
W. G. Williams
Edna I. Smith, Clerk

1. Continued from December 14, 1972
HEARING ON CONFIRMATION

Declaratory Resolution No. 1328-1972 for the vacation of Wall Street from the east line of Lot 143, Swinney's Addition to a point 325.65 feet west of said point being on the Northerly projection of the west right of way line of Phenie Street also for the vacation of Phenie Street from the north right of way line of Swinney Avenue to the south right of way line of Wall Street.

Continued to Thursday, February 15, 1973 at 3:30 p.m.

2. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Declaratory Resolution No. 1327-1972, for the vacation of Mercer Avenue from the south property line of Ventura Lane to the north property line of Farwood Avenue.

CONFIRMED and ordered sent to the Department of Finance.

3. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Alley Improvement Resolution No. 5607-1972, for improving the first alley north of Tennessee Avenue from the west property line of Kentucky Avenue to the east property line of Tecumseh Street.

The Board determined the benefits as indicated.

Ordered the City Engineering Department to prepare Final Assessment Roll.

4. Continued from December 14, 1972
HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sidewalk Improvement Resolution No. 5614-1972, for construction of sidewalk on the south side of Vance Avenue from the east property line of Kingsley Drive to a point approximately 166 feet thereof.

The Board determined the benefits as indicated.

Ordered the City Engineering Department to prepare Final Assessment Roll.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sidewalk Improvement Resolution No. 5617-1972, for construction of sidewalk on the north side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Drive.

The Board determined the benefits as indicated.

Ordered the City Engineering Department to prepare the Final Assessment Roll.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Alley Improvement Resolution No. 5549-1970, for improving the alley between Esmond Street and Wildwood Avenue from the east property line of Barr Street to the west property line of Lafayette Street.

The Board determined the benefits as indicated.

Ordered the City Engineering Department to prepare the Final Assessment Roll.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sewer Easement Resolution No. 115-1972, for the condemnation of a permanent and temporary right-of-way in Trixholme Addition. (Sewer Res. 857-1972)

CONFIRMED and ordered sent to the Department of Finance.

Ordered Water Pollution Control Engineering Department to have Plat recorded.

HEARING ON CONFIRMATION

Sewer Easement Resolution No. 117-1972, for the condemnation of a temporary and permanent sewer easement - Pheasant Run Off-Site Extension.

CONFIRMED.

Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sewer Improvement Resolution No. 858-1972, for sanitary sewer in the area of Thompson, Dinnen and Huestis Avenues.

The Board determined the benefits as indicated.

Ordered the Water Pollution Control Engineering Department to prepare Final Assessment Roll.

Received Partial Payment No. 2 in the amount of $21,761.31 for Bowen Engineering Corporation covering work completed on the site for the period of November 18, 1972 to December 31, 1972 for Sewer Resolution No. 279-1972 - Storm Water Treatment Facility, Section V - E. P. A. No. 11020 GYU.

Approved.

Ordered City Utilities to pay $21,761.31 to Bowen Engineering Corporation from the Water Pollution Control Utility Fund.

11. Received Special Sewer Permit for Fuller Construction Company prepared and approved by the Water Pollution Control Engineer and Performance and Guaranty Bond in the amount of $3000.00, to construct a sanitary sewer known as Progress Road Westerly Subdivision of Lot 18 in Interstate Industrial Park. The Eickhoff Excavating is to perform the construction work.	Approved and special sewer permit issued.
12. Pursuant to a report from City Utilities Auditing Department listing unpaid Miscellaneous Receivable invoices, it is deemed desirable to write-off said bills, as per list submitted, in the sums of Electric - $1,234.21 and Water - $1,189.68.	Approved.
13. Received Invoice No. 5 in the amount of $7,184.00 from Clyde E. Williams & Associates, Inc., for engineering services in connection with Agreement of Jan. 5, 1971 - Parnell Avenue / St. Joe River north to Clinton Street. (BALANCE OF Invoice No. 2).	Approved. Ordered invoice in the amount of $7,184.00 of Clyde E. Williams & Associates, Inc., paid from the IAR & S Fund.
14. Received a request from Rev. O'Connor (St. Mary's Catholic Church) 430 E. Jefferson Street, for permission to hold a parade on Saturday, January 20, 1973 from 10:30 a.m. to 1:00 p.m. and 12:00 noon to 3:00 p.m. Route: Starting at St. Mary's Church - Clay - Lewis - Calhoun - Superior - Spy Run - Clinton - Glenbrook - Clinton - Southtown - Tillman - Calhoun - Paulding - Fairfield - Creighton - Broadway - Jefferson - Lafayette Streets. PURPOSE: Citizens for Peace Route.	Approved and permit issued.
15. Received Change Order No. 1 in the amount of $1,350.10, for L. W. Dailey, Inc., prepared by the Street Engineering Department, covering work performed under Resolution No. 5604-1971 - Elwood Drive to Reed Road. (Dodge Avenue).	Approved. Ordered sent to Common Council Tuesday, February 13, 1973 at 8 p.m.

Received request from Fort Wayne Workers of the Blind in cooperation with the ions Club, % Gertrude Webster, for per- ission to sell Minature White Canes in the Downtown Area and at Industries on Monday, April 16, 1973 through Saturday, April 28, 1973.
URPOSE: Emergency aid for the needy blind.

Approved and permit issued.

Received Agreement between the Allen County Commissioners and the Board of Public Works as follows:

WHEREAS, the City and County have jointly been operating a Right-of-Way Permit Department since 1968, and

WHEREAS, the City and County have been sharing the cost of the operation of said Right-of-Way Permit Office, and certain revisions are felt necessary,

NOW THEREFORE, it is mutually agreed to continue the operation of the combined Right-Of-Way Permit Department, whose function is the issuance and inspection of any construction cuts or entrances within public rights of way in both the City of Fort Wayne and Allen County, with the following divisions of responsibility:

The County will:
1. Furnish and pay the salary of two inspectors.
2. Furnish and pay one-half of the salary of the Permit Engineer - $6,500.
3. Furnish two automobiles and provide all operating expenses and insurance for same.
4. Furnish one-half of all office operating expenses and supplies.
5. Furnish the salary of one secretary.

The City will:
1. Furnish and pay the salary of two inspectors.
2. Furnish and pay one-half of the salary of the Permit Engineer - $6,500.
3. Furnish three automobiles and provide all operating expenses and insurance for same.
4. Furnish one-half of all office operating expenses and supplies.
5. Furnish and pay the salary of one full-time secretary and any additional part-time secretarial help needed.

It is further agreed that the Permit Engineer will be directly responsible to the Board of Public Works and the Board of County Commissioners for the operation of the department. The employees of the department will be directly responsible to the Permit Engineer.

Fees collected for permits from the County shall be deposited in the M.V.H. County General Fund, and fees collected for permits within the Corporate Limits of the City of Fort Wayne shall be deposited in the Board of Public Works Accounts.

This agreement shall be in full force and effect during the calendar year of 1973. It is contemplated that this agreement shall be renewed from year to year at the option of the parties hereto and subject to review of the terms of renewal.

Approved.

Meeting adjourned at 4:35 p.m.

L. D. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Wednesday, January 24, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Thursday, January 18, 1973 at 9 a.m.; also Minutes of Meeting held Thursday, January 18, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

   Approved.

2. Received payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. Received driveway applications.

   Approved and permits issued.

   900 Mildred-------------------Vilas Scrogham
   3105 Santa Lisa Court --- Hilker-Hubertz Homes

4. Received street cut applications.

   Approved and permits issued.

   3401 Alexander (alley) ----------------- NIPSCo
   2520 Beacon -------------------------- NIPSCO
   7605 Bluffton Rd. ---------------------- NIPSCO
   7608 Bluffton Rd. ---------------------- NIPSCO
   7671 Bluffton Rd. ---------------------- NIPSCO
   7675 Bluffton Rd. ---------------------- NIPSCO
   7701 Bluffton Rd. ---------------------- NIPSCO
   7708 Bluffton Rd. ---------------------- NIPSCO
   7710 Bluffton Rd. ---------------------- NIPSCO
   7720 Bluffton Rd. ---------------------- NIPSCO
   7812 Bluffton Rd. ---------------------- NIPSCO
   7820 Bluffton Rd. ---------------------- NIPSCO
   2734 Clara ---------------------------- NIPSCO
   2906 S. Clinton ----------------------- NIPSCO
   2609 Dodge (alley) --------------------- NIPSCO
   409 Edgewood Ave. ---------------------- NIPSCO
   SE cor. 3100 Harvester at Perth -- 2 Macs, Inc.
   605 Hayden (alley) -------------------- NIPSCO
   2015 Hensch -------------------------- NIPSCO
   4732 Palatine Dr. (bore -
   parkstrip) -------------- Water Const.
   1717 E. Pontiac (alley) --------------- NIPSCO
   1103 E. Wayne, (alley) ----------------- NIPSCO
   2236 Wayne Trace ----------------------- NIPSCO
   2321 Weisser Park ---------------------- NIPSCO
   2828 Fairfield (alley) ----------------- NIPSCO
   1604 Inwood Dr. (bore -
   parkstrip) ---------- Water Const.

Received Final Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution No. 5614-1972 for construction of sidewalk on the south side of Vance Avenue from the east property line of Kingsley Drive to a point approximately 166 feet east thereof.	CONFIRMED and ordered sent to the Department of Finance.
Received Final Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution No. 5617-1972 for construction of sidewalk on the north side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Drive.	CONFIRMED and ordered sent to the Department of Finance.
Received Final Assessment Roll prepared by the Street Engineering Department for Alley Improvement Resolution NO. 5549-1970 for improving the alley between Esmond Street and Wildwood Avenue from the east property line of Barr Street to the west property line of Lafayette Street.	CONFIRMED and ordered sent to the Department of Finance.
Received Final Assessment Roll prepared by the Street Engineering Department for Alley Improvement Resolution No. 5607-1972 for improving the alley north of Tennessee Avenue from the west property line of Kentucky Avenue to the east property line of Tecumseh Street.	CONFIRMED and ordered sent to the Department of Finance.

Received Agreement between the Allen County Commissioners and the Board of Public Works as follows:

WHEREAS, City and County are desirous of improving Tillman Road from Anthony to Hessen Cassel, hereinafter referred to as "Road", and
WHEREAS, said Road lies partially within the corporate limits of the City of Fort Wayne and partially in the County of Allen, and
WHEREAS, the County is planning to improve Tillman Road from Hessen Cassel east to Minnich Road. and
WHEREAS, said Road carries a high volumne of traffic, is in a poor state of repairs, and urgently need improvements,
NOW THEREFORE, the City and County for the consideration hereinafter named agree as follows:

1. City agrees to retain a consulting engineering firm to provide engineering services for said Road. The selection of engineer to be approved by County.
2. City and County agree to share the cost of said Road improvement, including engineering, right-of-way costs, etc., in proportion to their respective jurisdictional areas existing the date of this agreement, e. g., the City shall pay all costs for that section of Road within the City Limits, and the County all costs for that section in the County.
3. Each party agrees to expedite this work to allow for construction at the earliest possible date.

The commitments made above by the Allen County Commissioners is subject to the approval of funding by the Allen County Council.

APPROVED. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement.

10. Received Warranty Deed from Joe H. and Annie R. Cook, whereby they convey and warrant to the City of Fort Wayne, Indiana, the following described real estate in Allen County, Indiana:

The North twenty-six (26) feet of lot number Two Hundred Eleven (211) in Lewis Addition to the City of Fort Wayne.

Subject to the second installment of taxes for the year 1971 due and payable in the fall of the year 1972, which grantee assumes and agrees to pay.

Said Warranty Deed recorded January 22, 1973, Item 73-01707.

RELEASES OF MORTGAGES: Property Services and Investment Corporation, Ft. Wayne, Indiana; Colonial Acceptance Corporation.

The Warranty Deed from Joe H. and Annie R. Cook was made a matter of record.

A true copy of which Deed is Incorporated by reference herein and appears in Minutes herein under Warranty Deed.

11. Due to lack of funds in the Civil City 1972 budget, the Board deems it advisable to write-off, in lieu of taxes, the following City Utility bills:

Water ----------------$ 3,000.00
Electric ------------$136,026.00

Approved.

12. Received a request from Martin, Inc., 3101 New Haven Avenue, for permission to close the parking lane on the south side of Jefferson Street, the parking lane on the west side of Harrison Street starting Monday, January 29, 1973 for thirty (30) days.
PURPOSE: To tear down building (melting Pot).

Approved and permit issued.

13. Received a request from Northern Indiana Public Service Company, Mr. Hicks - 1501 Hale Avenue, for permission to close the alley in the rear of 1017 Oneida from Columbia to Lake from Oneida to Dearborn starting Tuesday, January 24, 1973 at 7:30 a.m. for three to five days.
PURPOSE: Work on gas leak.

Approved and permit issued.

Meeting adjourned at 9:25 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, January 29, 1973

Department of Public Works
Office of the Board
Room 910, City County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	PRESENT: J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith
Received Minutes of Meeting held Wednesday, [illegible], 1973 at 9:00 a.m.	
Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received private sidewalk application. S. E. cor. of Hanna and Creighton ---------------- Maumee Const.	Approved and permits issued.
Received street cut applications. 5200 Bluffton Rd. (bore - prkstrp) --------- Water Const. 4176 Buesching Dr. --------------- NIPSCO 1924 Maplewood ------------------- NIPSCO 4015 Northrop (bore - prkstrp) ------------Water Const. 3115 Pittsburg Ave. ------------Water Const. 2712 Prairie Grove (bore - prkstrp) ------------Water Const.	Approved and permits issued.
Received Final Assessment Roll prepared by the Water Pollution Control Engineering Department for Sewer Improvement Resolution No. 858-1972 - Sanitary Sewer in the area of Thompson, Dinnen and Huestis Avenues.	CONFIRMED and ordered sent to the Department of Finance.
Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department, for Sewer Easement No. 117-1972, bounded by Winchester Road on the West, Muldoon Road on the South and the St. Mary's River on the East.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served Monday, January 29, 1973. Hearing on Confirmation of Assessment Roll Thursday, February 8, 1973 at 3:30 p.m.

7. Permission was granted to C. A. Lehman & Sons, 901 Hayden Street, to close Oakdale Drive on Friday, January 26, 1973 from 8:00 a.m. to 3:00 p.m. - Broadway to Beaver. PURPOSE: Sewer Tap	Approved and permit was issued.
8. Received a request from Lincoln Boy Scouts, Gary Simmons, Lincoln Life Insurance Company, 1301 S. Harrison Street, for permission to close Harrison Street between Douglas and Brackenridge Streets on Monday, February 12, 1973 at 6:45 p.m. PURPOSE: Traditional Pilgrimage.	Approved and permit issued.
9. Received a request from Civic Theater Guild Follies, 707 S. Clinton Street, for permission to hold a parade on Saturday, February 3, 1973 from 2:00 p.m. to 2:30 p.m. - per Kathryn Hanlon, member. PURPOSE: PUBLICITY FOR SUPPORT OF FOLLIES. Route: Starting point - Lincoln Life Parking Lot to New Civic Center.	Approved and permit issued.
10. Received plans and specifications from the Water Engineer covering construction of a 24" feeder main on Hobson Road from Vance Avenue to U. S. 30 Bypass. - Phase I - No. W-72-34. Project. Contract - 73-XP-1.	Approved. Advertise, Notice to Contractors February 9 and 16, 1973. Receive Bids Wednesday, February 21, 1973 at 9 a.m. Ordered Water Engineer to prepare Bid documents.
11. Received Invoice No. 14 of Henry B. Steeg & Associates, Inc., for engineering services on Storm Water Demonstration Grant Project EPA No. 11020 GYU as per contract of June 2, 1971 for the amount of $775.40.	Approved. Ordered City Utilities to pay invoice no. 14 of Henry B. Steeg & Associates, Inc., for $775.40 from Water Pollution Control Utility Fund.
12. Received a request from ABC Construction, 224 Main Street for permission to park a mobile office on Pearl Street beginning Friday, January 26, 1973 to Wednesday, January 31, 1973. PURPOSE: To park Mobile Office	Approved and permit issued.

Received a request from Civic Theater Guild Follies, 707 S. Clinton Street, for permission to place a spot light in the parking space on street in front of the Performing Arts Building, Main Street on Thursday, February 8, 1973 from 6:00 p.m. to 9:00 p.m. PURPOSE: Performance Night.	Approved and permit issued.
Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of A & B Construction with Guaranty Bond in the amount of $2,500.00 signed by the Fidelity and Deposit Company of Maryland for Sanitary Sewer known as National Plastics Industrial Road (5727 Industrial Road) which was approved on September 1, 1972 but no Acceptance Letter written.	Approved. Ordered acceptance letter written.
Received inspection report, from the Water Pollution Control Engineering Department, and Completion Affidavit of Land Excavating, Inc. with Guaranty Bond in the amount of $9,122.00 signed by Great American Insurance Company for Sanitary and Storm Sewer known as Calhoun-Tillman Shopping Center. Due to delay in recording sewer easements, bonding date will expire June 1, 1973 instead of one year from date of acceptance letter.	Approved. Ordered acceptance letter written.
Received inspection report from the Water Engineer covering Water Contract 7008, which was issued to Colony Heights, Inc., on June 10, 1970 for Crown Colony Addition, Section "C".	Approved. Ordered acceptance letter written to Ben Bunt Realty.
Received Water Contract No. 7224, prepared and approved by the Water Engineer, between the Fort Wayne Water Utility and Arbor, Inc., on Nevada from the West property line of Berkley Avenue.	Approved. Ordered sent to the Water Engineer for handling.
Received Claims Nos. 1 and 2 from Henry B. Steeg & Associates, Inc., in the amounts of $483.58 and $612.14 for furnishing inspector on the Interim Phosphate Removal Project as per letter agreed upon on October 2, 1972.	Approved. Ordered the invoices of Henry B. Steeg & Associates, Inc., (Claims Nos. 1 & 2) totaling $1,095.72 paid by City Utilities from the Water Pollution Control Utility Fund.

19. Received a request from First Wayne United Methodist Church, 326 E. Wayne Street, for permission to hold a parade on Sunday, February 4, 1973 from 10:00 a.m. to 10;30 a.m. starting at 910 Broadway at Wayne Street and terminating at 326 East Wayne Street. James L. Golm is responsible for conduct of Participants of Parade.

Approved and permit issued.

Meeting adjourned at 9:15 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Thursday, February 1, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
HEARING ON CONFIRMATION OF ASSESSMENT ROLL Declaratory Resolution NO. 1329-1972 for the vacation of the alley described as being the west 12 feet of the east 31 feet of Lot 154 in Swinney's Add., also the alley north of Lots 155 through 160 in Swinney's Add., also the north-south alley along the west bank of St. Mary's River from the north line of Taylor Street to the North line of a vacated alley lying south of Penn-Central Railway.	Continued to February 15, 1973 at 3:30 p.m. to allow Essex, Inc. to prepare Agreement for riverbank maintenance.
HEARING ON CONFIRMATION Water Improvement Resolution No. 1006-1972 for construction of water mains along the north side of Elmdale Dr., from the west property line of Hessen Cassel Road to the west property line of lot #37, also on Waycross Drive from the south property line of Lot #35 to the existing Water Main on Sundale Drive, all in Hickory Grove Addition, Sections B & C.	CONFIRMED. Advertise, Notice to Contractors, February 9 and 16, 1973. Receive Bids Wednesday, February 21, 1973 at 9 a.m. Ordered the Water Engineering Department to prepare the Bid Documents.
AWARD OF CONTRACT In the matter of Water Contract 1003-1972, which award was delayed from January 15, 1973 because low bidder, Simmons & Brady, defaulted, stating they did not realize it was not a City Paid job, the Board now deems it advisable to award contract to the second-low bidder. The Board has agreed to release Simmons and Brady from their obligation without foreclosure on their bond with provision they submit a check for $671.40, which is the difference between the two lowest bids.	AWARD CONTRACT to Bercot, Inc., in the amount of $20,141.10. Ordered the Water Engineer to prepare the contract. Water Construction will furnish 25 taps at $150.00 each for a total construction cost of $23,891.10.

4. RE-ADVERTISE FOR BIDS

In the matter of Street Improvement Resolution No. 5527-1969 to improve Betty Avenue from the west curb line of Chochtimar Trail to the west line of Tower Heights Addition, Section "B" on which no bids were received, the Board now deems it necessary to re-advertise for bids.

Advertise, Notice to Contractors, February 9 and 16, 1973.

Receive Bids Wednesday, February 21, 1973 at 9 a.m.

Ordered the Street Engineering Department to prepare Bid Documents.

5. Received Invoice No. 6 of Westenhoff & Novick, Inc., in the amount of $3,747.00 for professional engineering services in connection with the Planning of the Proposed East-West Highway Phase I.

Approved and ordered invoice of Westenhoff & Novick, Inc., in the amount of $3,747.00 paid from the Motor Vehicle Highway Fund

6. Received inspection report, from Water Pollution Control Engineering Department and Completion Affidavit of John Dehner, Inc., with Guaranty Bond in the amount of $639.50 signed by United States Fidelity & Guaranty for sewer known as First Missionary Church Storm Sewer.

Approved.

Ordered acceptance letter written.

7. Received a request from Indiana & Michigan Electric Company, 1201 Spy Run Ave., (P.O. 60) for permission to close portions of the following streets between February 2, 1973 and July 31, 1973 during working hours between 9 a.m. and 3 p.m.

Calhoun St., west lane, south of Main St. to Berry Street.
Calhoun St., west lane, south of Berry to Wayne Street.
Calhoun St., west lane, south of Wayne St. to Jefferson Street.
Clinton St., east lane, south of Berry to Wayne Street.
Clinton ST., east lane, south of Wayne St. to Jefferson Street.
Berry St., north lane, west of Calhoun St. to Harrison Street.
Harrison St., west lane, south of Main St. to Berry Street.
Harrison St., west lane, south of Berry St. to Wayne Street.
Harrison St., west lane, south of Wayne St. to Washington Street.
Harrison St., west lane, south of Washington St. to Jefferson Street.
Harrison St., west lane, south of Jefferson St. to Lewis Street.
Harrison St., west lane, south of Lewis St. to Douglas Street.

PURPOSE: Installing transformers, installing and splicing power cables.

Approved and permit issued.

Meeting adjourned at 4:30 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Monday, February 5, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received private sidewalk applications. 329 Clover Lane ------------ Dan Till 2620 Euclid St. ------------ Bill Winans 1920 Hoagland Ave. ---- Sam Smith Const. 2920 Pennsylvania ------- Emil Holliday	Approved and permits issued.
Received driveway applications. 1922 Lakeview Drive ----- Graham Const. 1216 West Main Street --- Graham Const.	Approved and permits issued.
Received street cut applications. 1914 Bear Paw Ct. ------ Water Const. 1919 Bear Paw Dr. ------ Water Const. 3030 Central Dr. (alley) ---- NIPSCO 2626 Clara (alley) ---------- NIPSCO 2602 Clara (alley) ---------- NIPSCO 1003 Clayton -------------- NIPSCO. 1504 E. Creighton ----------- NIPSCO 5411 Dial Dr. (bore - parkstrip) ------ Water Const. 5200 Eastwick (sdw.) --- Water Const. 5201 Eastwick (sdw.) --- Water Const. 1400 Fairfield (sdw.) --- Water Const. Fairfield & Fairfax at intersection ------------ NIPSCO 515 W. Fifth (sdw.) ---- Water Const. 1630 Fletcher ------------- NIPSCO 118 Forest (bore - parkstrip) ---- Water Const. Gay & Eliza (2 cuts on Gay, trench on Eliza ---- NIPSCO Garcia & Bowstring (bore - parkstrip) ---- Water Const. 509 Grant (bore - street) ---- Water Const. Grant & Wayne (bore - sdw. & street) ---- Water Const.	Approved and permits issued.

7124 Great Bear Ct. (bore - parkstrip) ------- Water Const.
Hanna & Hayden (1-cut-street) -------- Water Const.
High - SW/cor. Tyler and High (1901 High) -------- NIPSCO
4410 Lake Ave. ------------- NIPSCO
Lasalle E. of Hanna -------- NIPSCO
Laverne & Nevada NE cor. ----- NIPSCO
Ley Rd. & Merchandise Pl. at intersection ---- Water Engr.
Logan & Fleetwood at intersection ------------ NIPSCO
McKEE SW cor. Radcliffe St. -- NIPSCO
4918 Nevada Ave. (bore - parkstrip) ---------- Water Const.
4926 Nevada Ave. (bore - parkstrip) --------- Water Const.
1300 Oakdale --- C. A. Lehman & Sons
263 E. Pettit --------------- NIPSCO
Pleasant & State (street) - Water Const.
2806 Prairie Grove (bore - parkstrip) --------- Water Const.
2111 Roy (street) -------- Water Const.
Runnion & Sinclair at intersection ----------- NIPSCO
4358 Scokian Dr. (bore - parkstrip) --------- Water Const.
6918 Selkirk Dr. (parkstrp) - Water Const.
Sherman St. -------- Ind. & Mich. Elec.
3022 E. State -------------- NIPSCO
Superior St. ------ Ind. & Mich. Elec.
4125 Rutland --------------- NIPSCO
1726 St. Joe River Road --- MEP Corp.
1726 St. Joe River Road --- Water Const.
Senate & South Park (street)- Water Const.
424 W. Sherwood ----------- NIPSCO
1307 Vance Ave. ------------ NIPSCO
3200 Woodrow ------------ NIPSCO

6. Received Pole Line application.

Engle Road, west of State Road #1 ------------ Indiana & Michigan Elec. Co.

Approved and permit returned to Permit Engineering Department.

Meeting adjourned at 9:15 a.m.

W. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Wednesday, February 7, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, W. G. Williams
Edna I. Smith, Clerk

Received minutes of Meetings held Monday, January 29, 1973 at 9:00 a.m.; Thursday, February 1, 1973 at 3:30 p.m.; and Monday, February 5, 1973 at 9:00 a.m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received driveway applications.

1425 West Main St. ------(widen existing approach)------- Carrington & Assoc.
Hatfield Road - Diversified Contractors, Inc.

Approved and permits issued.

Received street cut applications.

1425 Broadway /Martin ---------------	NIPSCO
301 W. Burns -----------------------	NIPSCO
1513 N. Clinton ---------------------	NIPSCO
2215 Filmore-------------------------	NIPSCO
Florence & Short (intersection) -----	NIPSCO
Manford & Radcliffe (intersection) --	NIPSCO
2418 and 2424 Manford ---------------	NIPSCO
263 E. Pettit -----------------------	NIPSCO
2908 Pinewood Dr. -------------------	NIPSCO
3408 Vesey --------------------------	NIPSCO
1214 Wells St. ----------------------	NIPSCO

Approved and permits issued.

RECEIVE BIDS:

Street Improvement Resolution NO. 5621-1972 to improve Ley Road from the easterly pavement edge of State Road No. 3 to a point approximately 2666 feet east thereof.

	12"Asphalt		8" Concrete
L. W. DAILY ---------	$285,622.35	-	$274,833.40
JOHN DEHNER, INC. ----	------	-	232,905.81
HIPSKIND ASPHALT CORP.	248,169.90	-	255,042.70
MOELLERING CONST. ----	------	-	246,960.58
WAYNE ASPHALT & CONST.	240,678.73	-	------

Referred to the Street Engineering Department for tabulation and report.

Award Contract Wednesday, February 14, 1973 at 9:00 a.m.

Ordered the Street Engineering Department to prepare contract and necessary documents.

6. Received plans and specifications from McNamee, Porter and Seeley, Consulting Engineers, for Water Contract No. 72-W-2, Revisions to Existing Three Rivers Filtration Plant.	Approved. Advertise, Notice to Bidders, February 16 and 23, 1973. Receive Bids, Wednesday, February 28, 1973 at 2 P.M.
7. Received Invoice No. 6 in the amount of $1,357.57 from Clyde E. Williams and Associates, Inc., for engineering services in connection with Agreement of Jan. 5, 1971 - Parnell Avenue / St. Joe River north to Clinton Street.	Approved. Ordered invoice in the amount of $1,357.57 of Clyde E. Williams & Associates, Inc., paid from the IAR & S Fund.
8. Received a request from Fort Wayne Storage Company, % Mrs. Beaumont, 806 Hayden Street, for permission to park a truck on the south curb of the 100 block of W. Berry (front of Commerce Bldg.) and on the east curb of the 900 block of South Clinton Street (front of Indiana Bank Building) on Monday, February 5, 1973 - at Commerce Bldg. from 1:30 p.m. to 3:00 p.m. and at Indiana Bank Bldg. from 3:00 p.m. to 4:30 p.m. (State Highway was informed). PURPOSE: Move office from Commerce Bldg. to Indiana Bank Bldg.	Approved and permit issued.
9. Received Revised Protective Restrictions, Covenants, Limitations and Easements for Pheasant Run, Section 2, submitted and approved by the City Plan Commission.	Approved.

Meeting adjourned at 9:15 a.m.

Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, February 8, 1973

rtment of Public Works ice of the Board 910, City-County Building lar meeting held at 3:30 p.m.	
D. Boswell, R. L. Bonar, W. G. Williams I. Smith, Clerk	PRESENT: J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
tinued from December 7, 1972 RING ON CONFIRMATION wer Easement Resolution No. 107-1972 r the condemnation of a temporary and rmanent sewer easement in the area of ewood Addition. (Sewer 848-1972).	Continued to Thursday, March 1, 1973 at 3:30 p.m.
RING ON CONFIRMATION OF ASSESSMENT ROLL ewer Easement Res. No. 117-1972, bounded y Winchester Road on the West, Muldoon ad on the South and the St. Mary's River on the st. (Pheasant Run Off-site Extension)	CONFIRMED and ordered sent to the Department of Finance. Ordered Water Pollution Control Engineering Department to have Plat recorded.
rmission was granted to Mrs. L. F. Huber, 001 North Anthony, to use the Plot of round directly behind her residence, all n Anthony Blvd. Place Addition. - for riod beginning on the 1st day of March, 1973 nd ending on the 31st day of October, 1973 r gardening purposes only.	Approved and permit was issued.
rmission was granted to Indiana Michigan ectric Company, 2101 Spy Run Avenue, % im Carper, to close the alley between r Street and Clinton Street - south of yne Street on Thursday and Friday - ruary 8 and 9, 1973 from 7:00 a.m. to 5 p.m. POSE: To replace secondary Duct Line.	Approved and permit was issued.

5. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, % H. P. Stein, to barricade the alley from Manford Street to McKee Street between Radcliffe and Queen Streets on Thursday, February 8, 1973 at 8:00 a.m. to Friday, February 16, 1973 at 4:30 p.m. PURPOSE: Installation of new 2" plastic main.	Approved and permit was issued.
6. Received the Plat of Countryside Estates, Sec. III, submitted and approved by the City Plan Commission.	Approved.
7. Received plans and specifications from Water Engineering Department for Contract No. 7301 for Modifications to Water Facilities - U. S. Highway #30 By-Pass	Approved. Advertise, Notice to Contractors, February 16 and 23, 1973. Receive Bids, Wednesday, February 28, 1973 at 2 p.m.
8. Received plans and specifications from Water Engineering Department for Contract No. 73-XP-2 for Cook Road Feeder Main Phase I.	Approved. Advertise, Notice to Contractors, February 16 and 23, 1973. Receive Bids, Wednesday, February 28, 1973 at 2 p.m.

Meeting adjourned at 3:35 p.m.

Ronald

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Tuesday, February 13, 1973

ent of Public Works
of the Board
910, City-County Building
ar meeting held at 9 a.m.

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith- Clerk

Boswell, R. L. Bonar, W. G. Williams
I. Smith, Clerk

ived minutes of meeting held on Wednesday,
ary 7, 1973 at 9 a.m. and minutes of
ng held on Thursday, February 8, 1973
:30 p.m.

ived purchase orders from the Purchasing
t of City Utilities.

Approved.

ived payment vouchers from the Auditor
ity Utilities.

Approved and ordered sent to the
Department of Finance.

ived drive way application.

Approved and permit issued.

E. State Blvd. ---- North Eastern Const. Co.

eived street cut applications.

Approved and permits issued.

S. Calhoun St. ----------------- NIPSCO
Chute St. ----------------- WPC Maint.
Coliseum Blvd. N. (prkstrp) -- Water Const.
Creighton -------------------- NIPSCO
Elmwood (alley) --------------- NIPSCO
Engle Ridge Rd. (bore-prkstrp) -Water Const.
Engleridge Dr. ----------------- NIPSCO
Greenleaf Dr. (prkstrp) ----- Water Const.
S. Hanna (alley) ------- Golden Rule Sewer
Hemphill Dr. (prkstrp) ------ Water Const.
land & Arcadia ----------------- WPC Maint.
S. Hanna Sts. --------------- NIPSCO
Kiwanis Dr. ------------------- NIPSCO
lle & Monroe -------------------- NIPSCO
awrence Ave. --------------- NIPSCO
Main (alley) --------------- NIPSCO
Nevada (bore-prkstrp) ------- Water Const.
Pearl St. --------------------- NIPSCO
Pinehurst (bore-prkstrp) ----- Water Const.
Sinclair --------------------- NIPSCO
ey) S/E Wayne - E/Clinton St. -----
Ind. & Mich. Elec. Co.

5. Received preliminary plans, estimate and recommendation prepared by the Water Pollution Control Engineering Department for Edsall Avenue Sanitary Sewer.

Held for further study.

6. Received a petition for the vacation of Chandler Drive from the west line of Autumn View Drive to its western terminus, all in Eastland Gardens Addition. (Said vacation was approved by the County Common Council in 1969).

Ordered the Street Engineer to prepare an opinion, after conferring with all Governmental Agencies and Utilities.

7. Received Contract, Guaranty and Liability Bond of Bercot, Inc., in the amount of $20,141.10, prepared by the Water Engineering Department, signed by the General Insurance Company of America for Water Improvement Resolution No. 1003-1972 - all in Woodland Acres Addition.

Approved and ordered sent to the Common Council Tuesday, February 27, 1973 at 8:00 p.m.

Said Contract was awarded to the second low bidder due to default of Simmons & Brady. Simmons & Brady Excav., Inc. is to reimburse the City $671.40, the difference between the low bid and second low bid.

Total cost of project is $25,049.70 set out as follows:

Contractor	-	$20,141.10
Utility Taps	-	3,750.00
Engineering Fees	-	1,770.00
Advertising	-	50.00
Permit Fees	-	10.00
	LESS-	671.40
		$25,049.70

City's participation is $2,016.70 or slightly more than 8% of total cost.

Meeting adjourned at 9:15 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Wednesday, February 14, 1973

Department of Public Works Office of the Board Room 910, City-County Building Regular meeting held at 9:00 a.m.	
J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received Tabulation and Recommendation prepared by the Street Engineering Department for Street Improvement Resolution No. 5621-1972, to improve Ley Road from the easterly pavement edge of State Road No. 3 to a point approximately 2666 feet east thereof.	AWARD CONTRACT to John Dehner, Inc., at and for their Bid, in the amount of $232,905.81 for 8" plain concrete. Property Owners have waived right to specify material to be used. Ordered the Street Engineer to prepare contract and necessary documents.
Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of Hipskind Asphalt Corporation with Guaranty Bond in the amount of $7,500.00 signed by Trinity Universal Insurance Company for special storm sewer known as E. H. Tepe Company Storm Sewer.	Approved. Ordered acceptance letter written.
Permission was granted to Robert Gilbert, 3240 East Wallen Road, to barricade the first alley (half) located next to 418 LaSalle Street on February 12, 1973 through February 23, 1973 from 9:00 a.m. to 5:30 p.m. PURPOSE: To Tear Down Building.	Approved and permit issued.

6. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, % H. P. Stein, to barricade Kentucky Avenue between State and Northwood Streets on Wednesday, February 14, 1973 from 8:00 a.m. to 5:00 p.m.
PURPOSE: Install a 12" gas main.

Approved and permit was issued.

7. Received Special Sewer Permit for Mathilda R. Stolz prepared and approved by the Water Pollution Control Engineering Department, and Performance Bond of Bercot, Inc., to construct a sanitary sewer known as Sanitary Sewer to serve the North 100 feet of Lot #155 of Eureka Park Addition.

Approved and Special Sewer Permit issued.

Meeting adjourned at 9:20 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, February 15, 1973

Department of Public Works
Office of the Board
Room 910, City County Bldg.
Regular meeting held at 3:30 p.m.

D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Continued from January 18, 1973
HEARING ON CONFIRMATION

Declaratory Resolution NO. 1328-1972 for the vacation of Wall Street from the east line of Lot 143, Swinney's Addition to a point 325.65 feet west of said point being on the Northerly projection of the west right of way line of Phenie Street also for the vacation of Phenie Street from the north right of way line of Swinney Avenue to the south right of way line of Wall Street.

CONFIRMED on basis of Agreements and Grants of Easements with Essex International, Inc. to be recorded and made part of Declaratory Resolution No. 1328-1972.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

Continued from February 1, 1973
HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Declaratory Resolution No. 1329-1972 for the vacation of the alley described as being the west 12 feet of the East 11 feet of Lot 154 in Swinney's Addition also the alley North of Lots 155 through 160, in Swinney's Addition, also the North-South alley along the East Bank of St. Mary's River from the North line of Taylor Street to the North line of a vacated alley lying south of Penn-Central Railway.

CONFIRMED and ordered sent to the Department of Finance.

Said Confirmation is contingent upon Agreement with Essex International, Inc. whereby: they grant -

1. Right to public to use east riverbank of St. Mary's River.
2. Will take no action that would harm aesthetics of riverbank.
3. Agree to remove litter, trash and debris from St. Mary's River.

Said Agreement to be recorded and made part of this Resolution.

HEARING ON CONFIRMATION

Declaratory Improvement Resolution No. 0-1972 for the vacation of Calhoun Street from the north property line of Sixth Street to the north property line of Putnam Street.

Continue to May 17, 1973 at 3:30 p.m.

4. HEARING ON CONFIRMATION Declaratory Resolution No. 1331-1972 for the vacation of Putnam Street from the east property line of Harrison Street to the west property line of Calhoun Street.	Continued to Thursday, May 17, 1973 at 3:30 p.m.
5. Received Pole Line Applications: North R/W of Decatur Rd. at 440' east of Anthony Blvd. ---- Gen. Tele. Co. of Ind., Inc. East right-of-way of Decatur Road, 2118 ft. south of Anthony Blvd. -- Gen. Tele. Co. of Ind.	Approved and permits returned to Permit Engineering Department.
6. Received copy of Ordinance S-11-73 prepared by David Keller, City Attorney, which authorizes the Board of Public Works to bid at a foreclosure sale of properties belonging to Indiana Suburban Sewers, Inc. and Suburban Sewers, Inc. scheduled for February 28, 1973. Said Ordinance was approved February 13, 1973.	Approved. A true copy of which Ordinance is incorporated by reference herein and appears in Minutes herein under Special Ordinance S-11-73.

Meeting adjourned at 4:15 p.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith, Clerk

Tuesday, February 20, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

PRESENT:

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received Minutes of meetings held Tuesday, February 13, 1973 at 9 a.m. and Wednesday, February 14, 1973 at 9 a.m.; also Thursday, February 15, 1973 at 3:30 p.m.	
Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received drive way applications.	Approved and permit issued.

1425 West Main St. ---- Carrington & Assoc.

Received street cut applications. — Approved and permits issued.

Calhoun St. S/Sixth St. ----------------NIPSCO
2722 Cambridge Blvd. ------------------- NIPSCO
816-818 Canal St. (alley) -------------- NIPSCO
6430-6444 Covington Rd. (prkstrp) Water Const.
3506 Debeney Dr. (bore - parkstrp) - Water Const.
Decatur Road (2) -------- Gen. Tele. Co. of Ind.
726 DeWald -------------------------- NIPSCO
4305 Encino ---------------------------NIPSCO
1919 Forest Park Blvd. (alley) ------ NIPSCO
1724 Franklin (rear) -------Gen. Tele. Co. of Ind.
1123 Grant Ave. ----------------------- NIPSCO
1526 N. Harrison -----------------Troy Wilson
1200 Hayden (3) ------------------- Water Const.
Hayden St. ---------------------------- NIPSCO
1524 Hayden ------------------------- NIPSCO
731 E. Jefferson (alley) -------------- NIPSCO
302 W. Jefferson (alley) -------------- NIPSCO
3410 Kent Rd. ------------------------ NIPSCO
6017 Kiwanis ------------------------ NIPSCO
6315 Koester Dr. ---------------------- NIPSCO
444 E. Leith -------------------------- NIPSCO
708 E. Lewis (alley) ----------------- NIPSCO
McKee & Radcliffe (alley) ------------- NIPSCO
Mulberry & Ardmore --------------- Water Const.
4041 Northrop (2) ------------------ NIPSCO
1232 Oak St. (alley) ----------------- NIPSCO
316 Pinewood Dr. (prkstrp) ------ Water Const.
47 E. Pontiac (sdw.) ------- Water Const.
Queen St. at Maverick Place ------ Light Const.
Radcliffe - N/McKee (alley) (2) -- NIPSCO
3329 E. State ------------- Hipskind Asphalt
1228 Trick Ave. -------------------- NIPSCO
Wallace - N/ Creighton -------------- NIPSCO

5. SEWER TAP AGREEMENT REIMBURSEMENT

Permission is hereby granted to Knapke Real Estate, to tap a sewer to serve 80,831 square feet area at Washington Square Shopping Center. Said permission is conditioned upon the payment of the sum of $3,600.58 to the City of Fort Wayne as reimbursement under a certain Sewer Agreement No. SC-64-2, dated the 3rd of September, 1964, who are parties of said contract, by the City of Fort Wayne; it is further conditioned upon a sewer tap permit being taken out with the Water Pollution Engineer, the Permit Room.

Approved.

Ordered the City Utilities to remit the sum of $3,600.58, to Indiana Baptist Homes & Hospitals, Inc., which was deposited with the City by the applicant, to be distributed as set out in the Special Sewer Tap Agreement.

6. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, % H. P. Stein, to barricade the alley between Queen and Radcliffe from McKee to the east and west alley south of Pontiac Street on Friday, February 16, 1973 from 8:00 a.m. to Friday, February 23, 1973 at 4:30 p.m.
PURPOSE: Install 2" main.

Approved and permit was issued.

7. Permission was granted to Hawk Construction Company, 3111 Upper St. Joe Road, to park a crane on Calhoun Street in front of the Court House on Monday, February 19, 1973 from 12:00 noon to 2:00 p.m.
PURPOSE: Park Crane.

Approved and permit was issued.

8. Received Invoice No. 15 of Henry B. Steeg & Associates, Inc., for engineering services on Storm Water Demonstration Grant Project EPA No. 11020 GYU as per contract of June 2, 1971 for the amount of $2,749.42.

Approved.

Ordered City Utilities to pay invoice No. 15 of Henry B. Steeg & Associates, Inc., for $2,749.42 from Water Pollution Control Utility Fund.

9. Received Water Improvement Resolution No. 1004-1972, final plans, estimate, specifications and property ownership list, prepared by the Water Engineering Department for Lemar Dr., Autumn View Dr., Ridgeway Dr., Dexter Dr., Dellview Dr., Stinson Dr., Castle Dr., Oakwood Dr., and Chandler Dr., all in Eastland Gardens Addition Section "B".

Approved and adopted. A true copy of which Resolution No. 1004-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1004-1972.

Advertise, Notice to Property Owners, Wednesday, February 28, 1973.

Hearing on Confirmation Thursday, March 8, 1973 at 3:30 p.m.

Notices to be mailed on February 28, 1973.

Meeting adjourned at 9:25 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith
Edna I. Smith, Clerk

Wednesday, February 21, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

RECEIVE BIDS:

Contract 73-XP-1 (Project No. W-72-34) covering construction of a 24" feeder main on Hobson Road from Vance Avenue to U. S. 30 Bypass.

Referred to the Water Engineering Department for tabulation and report.

Award Contract Wednesday, February 28, 1973 at 2 p.m.

	"A" Ductile Iron	"B" Prestressed Concrete
BERCOT, INC.	- $79,877.90	$83,285.15
JOHN DEHNER, INC.	- 75,156.94	79,270.80
JAY FOX CONST. CO.	- 66,022.75	70,458.00
NOBIS-WESTROPP CONST. CO.	- 65,571.10	69,052.10

RECEIVE BIDS:

Water Main Improvement Resolution No. 1006-1972 for construction along the North side of Elmdale Dr., from the west property line of Hessen Cassel Rd. to the west property line of lot #37, also on Waycross Dr., from the south property line of lot #35 to the existing Water Main on Sundale Drive, all in Hickory Grove Addition, Sections B & C.

Referred to the Water Engineering Department for tabulation and report.

Award Contract Wednesday, February 28, 1973 at 2 p.m.

BERCOT, INC.	-	$24,834.50
JOHN DEHNER, INC.	-	25,051.00
JAY FOX CONST. CO.	-	25,606.25
WATER CONST. DEPT. (taps only)		$160.00 per tap

5. RECEIVE BIDS:

Street Improvement Resolution No. 5527-1969 to improve Betty Avenue from the west curb line of Chochtimar Trail to the west line of Tower Heights Addition, Section "B".

Referred to the City Engineering Department for tabulation and report.

Award Contract on Wednesday, February 28, 1973 at 2 p.m.

		8" Asphalt	6" Concrete
BROOKS CONST. CO.	-	$5,537.00	
L. W. DAILEY, INC.	-	5,740.00	$6,990.00
JOHN DEHNER, INC.	-	4,424.90	4,386.00
HIPSKIND ASPHALT CORP.	-	6,066.00	6,500.00
RIETH-RILEY CONST. CO.	-	5,900.20	

6. Received Partial Payment No. 3 in the amount of $148,617.50 for Bowen Engineering Corporation covering work completed on the site for the period of January 1, 1973 to January 31, 1973 for Sewer Resolution No. 279-1972 - Storm Water Treatment Facility, Section V - E.P.A. No. 11020 GYU.

Approved.

Ordered City Utilities to pay $148,617.50 to Bowen Engineering Corporation from the Water Pollution Control Utility Fund.

7. Invitational Bids were received by Electrical Engineering Department for portion of materials to be used in the Topics Lighting Project T-6002 (19) -East Washington Boulevard and Maumee Avenue as follows:

Approved and ordered Purchase Orders
No. 9570 --- $9,800.00 Gen. Elec. Co.
No. 9568 --- $2,310.00 Gen. Elec. Co.
No. 9569 --- $16,636.00 Lester Sales Co.
sent to Common Council on Tuesday, February 27, 1973 at 8:00 p.m.

100 - 250 WATT LUMINAIRES

C. D. Arnold Co. ----------------	$87.15 each
General Electric Co. -------------	$98.00 each
Universal Electric Co. -----------	$103.50 each
Westinghouse Supply Co. ----------	$102.00 each

100 - 250 WATT LAMPS
HIGH PRESSURE SODIUM

General Electric Co. ---------	$23.10 each
Westinghouse Supply Co. ------	$23.49 each

A. 62 - 35' LIGHTING POLES WITH 8' SINGLE ARM
B. 19 - 35' LIGHTING POLES WITH 8' TWIN ARMS

Lester Sales Company	(A) -	$196.00 each
	(B)	$236.00 each
Kerrigan Lighting	(A)	$209.00 each
	(B)	$267.00 each
Union Metal	(A)	$275.00 each
	(B)	$355.00 each

Received the following bids from the Purchasing gent covering items for the Street Department:

A) (1) one Van Type Truck 1973 -

ALLEN COUNTY MOTORS -------------$3,190.00

B) (1) one 1/2 Ton Pick-up Truck 1973 -

ALLEN COUNTY MOTORS -------------$2,440.00

The bid for item "A" was accepted under Purchase Order No. 13203 (Civil-City), dated February 21, 1973, in the amount of $3,190.00

The bid for item "B" was accepted under Purchase Order No. 13204 (Civil-City), dated February 21, 1973, in the amount of $2,240.00.

Ordered sent to the Common Council Tuesday, February 27, 1973 at 8:00 p.m.

Received a request from Northern Indiana Public Service, 1501 Hale Avenue, % H. P. Stein, for permission to barricade the east and west alley south of Pontiac Street between Radcliffe and Queen Streets on Tuesday, February 20, 1973 at 8"00 a.m. to Friday, February 23, 1973 at 4:30 p.m.
PURPOSE: Install a 2" plastic main.

Approved and permit issued.

Received a request from the Young Women's Christian Association, 325 W. Wayne Street, for permission to barricade the alley that runs west of the Library and east of the YWCA at the Wayne Street entrance (north/south section only) on Saturday, May 5, 1973 from 11:00 a.m. to 5:30 p.m.
PURPOSE: Annual International Festival.

Approved and permit issued.

Received a request from Indiana Jaycees, (William Pettit) 1201 W. Foster Parkway, for permission to hold a parade on Saturday, May 12, 1973. Starting point: Corner of Clinton and Brackenridge Streets and terminating at City Parking Lot by Armory, from 9:00 a.m. to 10:30 a.m.
PURPOSE: State Convention.

Approved and permit issued.

Meeting adjourned at 9:25 a.m.

BOARD OF PUBLIC WORKS

TEST:

I. Smith, Clerk

Monday, February 26, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meeting held at 9 a.m. on Tuesday, February 20, 1973 and meeting held on Wednesday, February 21, 1973 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permit issued,

737 Goshen Ave. ---------- Jet Contracting
706 Tennessee Ave.--------- Jet Contracting
709 Thieme Dr. ------------ F. R. Johnloz

4. Received driveway applications

Approved and permit issued.

2916 Pinewood Drive ----- T. J. Lebrato
3333 Regis Drive --- Hilker-Hubertz Homes

5. Received street cut applications.

Approved and permit issued.

1827 Antoinette ------------------ NIPSCO
100 W. Berry ------------- Water Const.
Boltz St. (sdw. to alley) -- Gen. Tele. Co.
1229 Boone ------------------------ NIPSCO
Bowser & Oxford (sdw) ------ Water Const.
3426 Chestnut ------------------- NIPSCO
1215 Creighton E. ----------------- NIPSCO
1504 E. Creighton --------------- NIPSCO
1418 Franklin ------------------ NIPSCO
2221 Gay St. ---------------------- NIPSCO
2324 John St. ------------------- NIPSCO
1334 Kitch ---------------------- NIPSCO
Lake Ridge & L. Huntington Rd.
(parkstrip) ----- Water Const.
921 E. Lewis ------------------ NIPSCO
232 E. Masterson ---------------- NIPSCO
7206 Miahqueah Dr. (bore - parkstrip) -- Water Const.
7213 Miahqueah Dr. (prskstrp)-- Water Const.
7217 Miahqueah Dr. (prkstrp) -- Water Const.

2002 Nattman (street) -------- Water Const.
Production Road ------------- NIPSCO
nion & High (intersection) ---- NIPSCO
Smith St. --------------- NIPSCO
Smith (alley) --------------- NIPSCO
South Park ------------------ NIPSCO
South Park ------------------ NIPSCO
Southview ------------------ NIPSCO
Southview ------------------ NIPSCO
St. Joe Road --------------- NIPSCO
St. Joe River Drive --- M.E.P Corp.
Standish --------------- NIPSCO
Summit (alley) --------------- NIPSCO
1605 Tecumseh ---------------- NIPSCO
rick bet. Kentland & Hampton --- NIPSCO
E. Wallace ------------------ NIPSCO
226 E. Washington Blvd. (st.) - Water Const.
732 E. Wayne St. (alley) --------- NIPSCO
Wayne Trace (bore - parkstrp.) ----- Water Const.
1129 E. Washington (alley) ------- NIPSCO
703 E. Wayne (alley) ----------- NIPSCO

Received Contract, Guaranty and Liability Bonds of John Dehner, Inc., for $232,905.81 prepared by the City Engineering Department signed by United States Fidelity & Guaranty Company for Street Improvement Resolution No. 5621-1972 , for improving Ley Road from the easterly pavement edge of State Road No. 3 to a point approximately 2,566 feet east thereof.

Approved.

Ordered Contract of John Dehner, Inc., in the amount of $232,905.81 sent to the Common Council Tuesday, March 13, 1973 at 8:00 p.m.

Received a request from Lutheran Schools, Arthur Amt, 1145 Barr Street, for permission to hold a parade on Wednesday, April 18, 1973 from 11:30 a.m. to 12:30 p.m. Starting and ending at Fine Arts Building. Children will line up along the following streets: Harrison to Barr on Main, Berry, Wayne and Washington and Main to Washington on Harrison, Calhoun Clinton and Barr Streets.

Approved and permit issued.

Received a request from VFW POSTS 857, 1006,8147, 00, 2202 West Main Street, for permission to sell poppies in the business areas and industrial areas of Fort Wayne on Friday and Saturday, May 18 and 19, 1973 from 6:00 a.m. to 9:00 p.m. PURPOSE: Rehabilitation of disabled Veterans.

Approved and permit issued.

9. Received Warranty Deed from Janet Sundheimer, whereby she warrants and conveys to the City of Fort Wayne, Indiana, the following described real estate in Allen County, Indiana:

The West 90 feet of the North 61 5/10 feet of Lot Number 1 Anthony Hiblers Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof.

Subject to all taxes and assessments.

Said Warranty Deed recorded February 14, 1973, Item 73-03595.

The Warranty Deed from Janet Sundheimer was made a matter of record.

A true copy of which Deed is Incorporated by reference herein and appears in Minutes herein under Warranty Deed.

10. TRUCK ROUTE AGREEMENT:

Received Amendment to the 1965 Truck Route Agreement between the State Highway Commission and the City of Fort Wayne for the following:

STATE ROAD #1 - Northbound
STATE ROAD #1 - Southbound

Approved and filed in 1973 Agreements in the Board of Public Works.

11. RESOLUTION NO. 59-146-11

WHEREAS, on July 25, 1972 the City of Fort Wayne entered into an Agreement with the Allen County Board of Commissioners on construction of the Ewing Street Bridge, and

WHEREAS, in the agreement, the City agreed to be responsible for the Wells Street Corridor Improvements and the County has given notice they cannot proceed with bridge construction until a decision is made on plans for the Corridor on which there appears to be three (3) alternatives available, and

WHEREAS, based upon the County's Consulting Engineering Report that the Wells Street Bridge is in precarious condition and must be replaced post-haste,

NOW, THEREFORE BE IT RESOLVED that Westenhoff and Novick, Inc. be retained to make a detailed analysis of each of the three (3) alternatives and others, if found, and from that the City will be able to decide on a choice and submit same to County so they may proceed with bridge construction.

Ordered Letter of Agreement from WEstenhoff & Novick, Inc. sent to the Common Council Tuesday, March 13, 1973 at 8:00 p.m.

A true copy of which Agreement, dated February 9, 1973, is incorporated by reference herein and appears in Minutes herein, under Westenhoff and Novick, Inc. Agreement.

Meeting adjourned at

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna D. Smith

Edna D. Smith, Clerk

RESOLUTION OF GOVERNING BODY OF APPLICANT

NO. 59-146A-12

Resolution of municipality authorizing the filing of an application for Federal Grant for the making of an environmental educational film.

WHEREAS, the Office of Environmental Education through the Department of Health Education, and Welfare provides for grants to make Community Educational Environmental Films under the Environmental Education Act; and

WHEREAS, the Board of Public Works of the City of Fort Wayne, herein called the Municipality, has plans for the making of an environmental film to be used to inform the general public of local pollution problems, solutions, and cures; the Municipality intends to proceed with the making of such film upon receipt of requested Federal Grant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works, the governing body of said Municipality, as follows:

(1) That Dr. Jerry D. Boswell, Chairman of the Board of Public Works, be authorized to make application for Federal Grants and provide the Department of Health, Education, and Welfare such information, data, and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.

(2) That the Municipality agrees that if Federal Grant assistance for the Project is provided pursuant to the Environmental Education Act, the City of Fort Wayne Board of Public Works will provide the remaining in-kind cost on the approved film as set out in the grant application.

(3) That the Municipality agrees to comply with the requirements of the Department of Health, Education, and Welfare including regulations under Title VI of Civil Rights Act of 1964.

J Dr Boswell

Ronald L Bonar

BOARD OF PUBLIC WORKS OF
FORT WAYNE, INDIANA

Attest:

Edna I. Smith

Clerk

DATE: February 26, 1973

Tuesday, February 27, 1973

rtment of Public Works
e of the Board
310, City-County Building
lar meeting held at 9 a.m.

Boswell, R. L. Bonar, W. G. Williams
I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
and W. G. Williams
Edna I. Smith, Clerk

ceived Minutes of Meeting held Monday,
ruary 26, 1973 at 9 a.m.

eived purchase orders from the Purchasing
nt of City Utilities.

Approved.

ceived payment vouchers from the Auditor
City Utilities.

Approved and ordered sent to the
Department of Finance.

ceived driveway application.

Approved and permit issued.

dlemeyer Ave. - 315' E. of CL Anthony Blvd. ---
------ Richard Hire.

eived pole line applications:

Approved and permit issued.

lley east of Broadway St.
t approx. 52 ft. south of
ildwood Ave. --------------------- Gen. Tele. Co.
lley east of Clinton Ct. at
prox. 93' south of CL of
rrow St. ----------------------- Gen. Tele. Co.
lley east of Lafayette ST. at
prox. 19' south of Boltz St. -- Gen. Tele. Co.
acement of two poles and re-
val of two poles on L. Hunting-
n west of Ardmore Ave. --------- Gene.Tel. Co.
ront of 418 Masterson St.
t 7' north of curb and 10'
st of alley -------------------- Gen. Tele. Co.
uth R/W of Pettit St. at
prox. 420' west of Calumet ----- Gen. Tele. Co.

eived street cut applications.

Approved and permits issued.

lley) E/O Broadway ------------- Gen. Tele. Co.
23 Debeney Dr. (prkstrp) ------ Water Const.
enger & Jeffords NW cor. ------- NIPSCO
220 Kenwood (alley) ------------ NIPSCO
erson (alley) E/Lafayette ---- Gen. Tele. Co.
35 Nevada (prkstrp) Water Const.
dale E/Broadway -------------- Light Const.
ettit W/Calumet Ave. ----------- Gen. Tele. Co.

5604 S. Bend Dr. ------------ NIPSCO
7319 Springhill ------------ Nipsco
1110 Stophlet --------------- Land Excav. Co.
Wabash Ave. E/side ----------Signal Dept.
2141 Weisser Park ----------- NIPSCO

6. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department for Declaratory Resolution No. 1328-1972 for the vacation of Wall Street from the east line of Lot 143, Swinneys Addition to a point 325.65 feet west said point being on the northerly projection of the west right of way line of Phenie Street, also for the vacation of Phenie Street from the north right of way line of Swinney Ave. to the south right of way line of Wall Street.

Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

Notices to be served March 2, 1973.

Hearing on Confirmation of Assessment Roll Thursday, March 15, 1973 at 3:30 p.m.

7. Received Declaratory Resolution No. 1332-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Dock Street from the east property line of Calhoun Street to the west property line of Barr Street.

HELD FOR FURTHER STUDY.

8. Received Declaratory Resolution No. 1333-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Columbia Street from the east property line of Calhoun Street to the west property line of Lafayette Street.

WAIVER on the Resolution of Improvement is signed by the property owner (Fort Wayne Fine Arts Foundation, Inc.).

Approved and adopted. A true copy of which Resolution No. 1333-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1333-1973.

CONFIRMED.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

WAIVER of notice of public hearings is incorporated by reference herein is filed in folder with Resolution No. 1333-1973.

Received Declaratory Resolution No. 1334-1973, Final plans and property ownership list, prepared by the Street Engineering Department for the vacation of the first alley north of Main Street from the east property line of Clinton Street to a point approximately 215 feet east of the east property line of Lafayette Street.

WAIVER on the Resolution of Improvement is signed by the property owner (Fort Wayne Fine Arts Foundation, Inc.).

Approved and adopted. A true copy of which Resolution No. 1334-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 1334-1973.

CONFIRMED.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

WAIVER of notice of Public Hearings is incorporated by reference herein is filed in folder with Resolution No. 1334-1973.

Received Declaratory Resolution No. 1335-1973, Final plans and property ownership list, prepared by the Street Engineering Department for the vacation of the first alley east of Barr Street from the north property line of Main Street to the south property line of Columbia Street.

WAIVER on the Resolution of Improvement is signed by the property owner (Fort Wayne Fine Arts Foundation, Inc.).

Approved and adopted. A true copy of which Resolution No. 1335-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1335-1973.

CONFIRMED.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

WAIVER of notice of Public Hearings is incorporated by reference herein is filed in folder with Resolution No. 1335-1973.

Received Declaratory Resolution No. 1336-1973, Final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Barr Street from the north property line of Main Street to the southerly right of way line of the Norfolk & Western Railway Company.

WAIVER on the Resolution of Improvement is signed by the property owner (Fort Wayne Fine Arts Foundation, Inc.).

Approved and adopted. A true copy of which Resolution No. 1336-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1336-1973.

CONFIRMED.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

WAIVER of notice of Public Hearings is incorporated by reference herein is filed in folder with Resolution No. 1336-1973.

12. Received City Utilities Purchase Order No. 9516 to Lighting Replacement in the amount of $2,016.00 for purchase of 120 Model 900 WB-816 Lexalite globes with reflectors built in top.

Light Replacement is the only Company manufacturing this product.

Approved and ordered sent to Common Council March 13, 1973 at 8:00 p.m., Tuesday.

13. Received City Utilities Purchase Order No. 9477 for 4000 ft. 500,000 CM triplexed copper cable and 4 reels (deposit).

BIDS RECEIVED:

			TOTAL
General Electric Supply Co.	-	$5,021/M	$20,084.00
Graybar Electric Co.	-	5,558/M	22,232.00
Central Supply Co.	-	5,114/M	20,456.00
The Okonite Co.	-	5,179/M	20,716.00
The Okonite Co.	-	5,392/M	21,568.00

ADD (4) Reels @ $300./reel to each quote. ------$1,200.00

Through the recommendation of the Purchasing Agent of City Utilities the bid of General Electric Supply Company was accepted under Purchase Order No. 9477, dated February 16, 1973, for the amount of $21,284.00.

Ordered sent to the Common Council Tuesday, March 13, 1973 at 8:00 p.m.

14. Received City Utilities Purchase Order No. 9529, dated February 20, 1973, to National Mill Supply Co. covering the proposed delivery of 20 - 25KVA Transformers at $201.40 each and 10 - 50KVA Transformers at $317.68.

Bids on WEstinghouse transformers for 1973 were requested by Purchasing Department on December 13, 1972 on the basis of proposed discounts, since price on each Westinghouse unit would be the same from all companies.

Discounts were bid as follows:

General Electric Co.	--	19%
National Mill	-	24%
Central Molonet	-	19%
Westinghouse Supply	-	19%
H. K. Porter Co.	-	15%

The discount bid of National Mill in the amount of 24% was accepted.

Ordered City Utilities Purchase Order 9529 in amount of $7,204.80 sent to the Common Council Tuesday, March 13, 1973 at 8:00 p.m.

Meeting adjourned at 9:25 a.m.

Ronald L. Bower

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Wednesday, February 28, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Meeting held at 2:00 p.m.

J. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

RECEIVE BIDS:

Water Contract No. 7301 for Modifications to Water Facilities - U. S. Highway 30 By-Pass.

Referred to the Water Engineering Department for tabulation and report.

Award Contract Tuesday, March 6, 1973 at 9 a.m.

	A	B
N DEHNER, INC. -----------	$13,464.25	$8,744.90
IPSKIND ASPHALT CORP. -------	12,584.00	7,400.00

RECEIVE BIDS:

Water Contract No. 73-XP-2 for Cook Road Feeder Main Phase I.

Referred to the Water Engineering Department for tabulation and report.

Award Contract Tuesday, March 6, 1973 at 9 a.m.

ERCOT, INC. __________	$29,056.67
JOHN DEHNER, INC. ______	$31,334.10
JAY FOX CONST. _________	$27,560.50
OBIS-WESTROPP CONST. __	$30,942.40

RECEIVE BIDS:

Water Contract No. 72-W-2 for Revisions to Existing Three Rivers Filtration Plant.

Referred to McNamee, Porter and Seeley, ConsultingEngineers, for taublation and report.

	Base
INDUSTRIAL PIPING & ENGR. CORP. ---	$284,301.00
C & C/BOHRER, INC. ----------------	$322,744.00

4. Received Tabulation and Recommendation prepared by the Street Engineering Department for Street Improvement Resolution No. 5527-1969 for improving Betty Avenue from the west curb line of Chochtimar Trail to the west line of Tower Heights Addition, Section "B".	AWARD CONTRACT to John Dehner, Inc. at and for their bid in the amount of $4,386.00 for 6" plain concrete.
5. Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Main Resolution No. 1006-1972 for construction along the North side of Elmdale Drive, etc., all in Hickory Grove Addition, Sections B & C.	AWARD CONTRACT to Bercot, Inc. at and for their bid in the amount of $21,204.50, subject to Councilmanic approval. AWARD for taps made to Water Construction Department at their bid in the amount of $3,250.00.
6. Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Contract No. 73-XP-1 (Project No. W-72-34) covering construction of a 24" Feeder Main on Hobson Road from Vance Avenue to U. S. 30 By-Pass.	AWARD CONTRACT to Nobis-Westropp Const. Co., Inc. at and for their bid in the amount of $64,860.10, subject to councilmanic approval.
7. Received Water Contract No. 7220, prepared and approved by the Water Engineering Department between Ralph L. Shirmeyer, Inc. and the Fort Wayne Water Utility, on Lakeridge Drive from Lower Huntington Road, southward a distance of 1300 ± feet.	Approved. Ordered sent to the Water Engineering Department for handling.
8. Received Partial Payment Estimate No. 10, FINAL, in the amount of $4,254.50, of E. A. Reim Plumbing & Heating, Inc., approved by Schenkel, Shultz and Hodge, Inc., covering mechanical work for Central Fire Station No. 1. (P.O. 13334)	Approved and ordered invoice of E. A. Reim Plumbing and Heating, Inc., in the amount of $4,254.50 paid from the Fire Station Fund No. 45-7-712.

Meeting adjourned at 2:25 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna I. Smith, Clerk

Thursday, March 1, 1973

artment of Public Works ice of the Board 910, City-County Building eting held at 3:30 p.m.	
D. Boswell, R. L. Bonar, W. G. Williams I. Smith, Clerk	J. D. BOSWELL, R. L. BONAR Edna I. Smith, Clerk
tinued from February 8, 1973 RING ON CONFIRMATION Sewer Easement Resolution No. 107-1972 for the condemnation of a temporary and permanent sewer easement in the area of ewood Addition. (Sewer 848-1972)	CONFIRMED AS MODIFIED. Ordered the Water Pollution Control Engineering Department to prepare Assessment Roll of Benefits and Damages. Letter was received from ten Property Owners requesting that the sewer follow the Alternate Route at the rear of the homes.
In the matter of Sewer Improvement Resolution No. 848-1972, in the area of Homewood Addition, on which bids were received on January 3, 1973, the Board now awards contract to John Dehner, Inc.	AWARD CONTRACT to John Dehner, Inc., at and for their Bid, in the amount of $49,506.60 for Alternate Route as MODIFIED. Ordered the Water Pollution Control Engineering Department to prepare Contract and necessary documents.
Received Sewer Improvement Resolution No. 842-1972, final plans, estimate, specifications and property ownership list, prepared by the Water Pollution Control Engineering Department for Edsall Avenue Sanitary Sewer from Dwenger Avenue South to Maumee Avenue all in Lincoln Highway Park Addition. (Easement 109-1972).	Approved and adopted. A true copy of which Resolution No. 842-1972, is incorporated by reference herein and appears in Minutes herein, under Resolution No. 842-1972. Advertise, Notice to Property Owners, March 9 & 16, 1973. Hearing on Confirmation, Thursday, March 29, 1973 at 3:30 p.m. Notices to be mailed March 16, 1973.
ceived Sewer Easement Resolution NO. -1972, final plans and property ownership list, prepared by the Water Pollution Control Engineering Department, for the Installation of a sanitary sewer to serve Edsall Avenue from Dwenger Avenue south to Maumee Avenue. (Sewer 842-1972).	Approved and adopted. A true copy of which Resolution No. 109-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 109-1972. Advertise, Notice to Property Owners, March 9 & 16, 1973. Hearing on Confirmation Thursday, March 29, 1973 at 3:30 p.m. Notices to be mailed March 16, 1973.

4. Received Declaratory Resolution No. 1332-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Dock Street from the east property line of Calhoun Street to the west property line of Barr Street.	Approved and adopted. A true copy of which Resolution NO. 1332-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 1332-1973. Advertise, Notice to Property Owners, March 9 & 16, 1973. Hearing on Confirmation Thursday, March 29, 1973 at 3:30 p.m. Notices to be mailed March 16, 1973.
5. Received "Consent to Encroach", dated February 8, 1973, whereby the City grants encroachment in a 14 foot sewer easement by certain buildings in the Mill Run, Phase I Development. Said document recorded February 15, 1973.	Approved and copy filed in Board of Public Works.
6. Received inspection report from the Water Pollution Control Engineering Department for a sanitary sewer known as East State Street Medical Center. Said sewer has been installed over one year; therefore, no bond is necessary.	Approved. Ordered acceptance letter written.
7. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, to barricade the alley between Queen and Abbott from Manford to McKee Streets on Monday, February 26, 1973 thru Friday, March 2, 1973 from 8 a.m. to 4:30 p.m. PURPOSE: Replace gas main.	Approved and permit was issued.
8. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, to barricade the alley between McKee and Pontiac from Queen and Abbott Streets on Tuesday, February 27, 1973 thru Friday, March 2, 1973 from 8 a.m. to 4:30 p.m. PURPOSE: Renewing gas main.	Approved and permit was issued.
9. Permission was granted to Hawk Construction Company, 3111 St. Joe Center Road to block the east lane of traffic on Calhoun Street on the west side of the Court House (Park Crane) on Wednesday, February 28, 1973 from 1:00 p.m. to 4:00 p.m. PURPOSE: Lifting material to 3rd floor of Court House.	Approved and permit was issued.

ission was granted to Hawk Construction
many, 3111 St. Joe Center Road, to block
e east lane of traffic on Calhoun Street
he west side of the Court House on
ay, March 5, 1973 from 9:00 a.m. to
0 p.m.
OSE: Park concrete truck and concrete

Approved and permit was issued.

ceived a petition for Water Main In-
llation to serve Riverhaven Community.

Ordered Water Engineering Department to prepare preliminary plans, estimate and all details necessary for the improvement.

ceived invoice No. 1 of Beam, Longest
Neff, Inc., dated February 21, 1973, in
e amount of $6,880.00 for Engineering
ervices for Improvements to Rudisill
ulevard from Indiana Avenue to Lafayette
reet - Contract dated December 4, 1972.

Approved and ordered paid from the IAR & S Fund.

Meeting adjourned at 4:20 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

est:

I. Smith, Clerk

Monday, March 5, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of meeting held Tuesday, Feb. 27, 1973 at 9 a.m.; Minutes of meeting held Wed., Feb. 28, 1973 at 2 p.m. and Minutes of meeting held Thurs., March 1, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application.

Approved and permit issued.

1928 Broadway ------------- John Dehner, Inc.

4. Received driveway applications.

Approved and permits issued.

125 E. Crown Lane --------- Jet Contracting
Hayden St. - 105' E. of Hanna- J.J. McCarron -(CHECK DRAINAGE)
4425 Industrial Road -------- Graham Const.
3329 E. State (and Nordholme) Hipskind Asphalt.

5. Received street cut applications.

Approved and permits issued.

1432 S. Anthony ----------------- NIPSCO
1302 S. Anthony ----------------- NIPSCO
Barr & Wallace -inters. -------- NIPSCO
5209 Bellmawr Lane (prkstrp)- Water Const.
816 S. Calhoun ---------- WPC Maint.
918 S. Calhoun --------- Hipskind Asphalt
1311 W. California Rd. (bore-prkstrp) ----- Water Const.
Cass St. E/parkstrp -------- Gen. Tele Co.
3433 Casselwood Dr. ------------ NIPSCO
1817 College --------------- Earth, Inc.
2114 Dale Dr. (prkstrp) ----- Water Const.
Edsall & Jeffords -------------- NIPSCO
2536 Ellen --------------------- NIPSCO
Elmdale Dr. & Waycross --- Water Engr.
4305 Encino Dr. (prkstrp) - Water Const.
1421 Fletcher ------------------ NIPSCO
3915 Grayston ------------------ NIPSCO
6121 Guild Dr. (bore - parkstrip) ----- Water Const. Dept.

Received Alley Improvement Resolution No. 5628-1973, final plans, estimate, specifications and property ownership list, prepared by the Street Engineering Department for improving the alley between Kinnaird Avenue and Packard Avenue from the west property line of the first alley west of Beaver Avenue to the east property line of the second alley east of Beaver Avenue.

Approved and adopted. A true copy of which Resolution NO. 5628-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5628-1973.

Advertise, Notice to Property Owners, March 9 & 16, 1973.

Hearing on Confirmation Thursday, March 29, 1973 at 3:30 p.m.

Notices to be mailed March 16, 1973.

Received Declaratory Improvement Resolution No. 1337-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Hystone Drive from the south property line of Ventura Lane to the north property line of Farwood Avenue.

Approved and adopted. A true copy of which Resolution No. 1337-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1337-1973.

Advertise, Notice to Property Owners, March 9 & 16, 1973.

Hearing on Confirmation Thursday, March 29, 1973 at 3:30 p.m.

Notices to be mailed March 16, 1973.

RESOLUTION NO. 59-157-8

Re: Federal Grant Acceptance
(EPA Project C180475)

Pursuant to Grant Agreement dated February 8, 1973, from the Environmental Protection Agency, tendering a grant offer in the amount of $2,511,200.00 or 75% of final approved cost whichever is less, on Project C180475 (St. Joe Interceptor Sewers, all or parts of SJ-2, SJ-5, SJ-6, SJ-7), the Board of Public Works of the City of Fort Wayne hereby authorizes the acceptance of said grant offer.

BE IT RESOLVED, that Jerry D. Boswell, Chairman of the Board of Public Works, be and he is hereby authorized and directed to execute such instrument or document in behalf of the City of Fort Wayne, Indiana, accepting the grant offer and make the assurances contained therein. The aforesaid signatory is further authorized to execute any subsequent documents pertaining to said Federal Grant.

Ordered sent to Common Council Tuesday, March 13, 1973 at 8:00 p.m.

Meeting adjourned at 9:20 a.m.

J. D. Boswell
Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

I. Smith
I. Smith, Clerk

Tuesday, March 6, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Contract No. 7301 for Modifications to Water Facilities - U. S. Hwy. 30 and By-Pass.

AWARD CONTRACT to Hipskind Asphalt Corp. at and for their Bid in the amount of $7,400.00, subject to Councilmanic approval. Proposal "B"

Taps to be installed by Water Construction Department, etc. in the amount of $9,000.00. Proposal "A"

4. Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Contract No. 73-XP-2 for Cook Road Feeder Main, Phase I.

AWARD CONTRACT to J. Fox Construction Co., Inc. at and for their Bid in the amount of $27,560.50, subject to councilmanic approval.

5. Received street cut applications;

Fairfield, So. of elevation -	Water Const.
6121 Guild Dr. (bore - parkstrp) --------	Water Const.
McClellan, Hawthorne, & Harrison --------------	NIPSCO
4515 Industrial Rd. (prkstrp) -	Water Const.
3437 Marias Dr. -------------	Water Const.
7226 Miahqueah Ct. (prkstrp) -	Water Const.
7230 Miahqueah Ct. (prkstrp) -	Water Const.
7225 Miahqueah Dr. (bore - prkstrp) -	Water Const.
Oakwood & Waycross ----------	Water Engr.
2916 Pinewood Dr. ----------	NIPSCO
2728 Plaza Dr. -------------	R & A Plumb.

Approved and permits issued.

Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1333-1973, for the vacation of Columbia Street from the east property line of Calhoun Street to the west property line of Lafayette Street. WAIVER was signed by Fort Wayne Fine Arts Foundation, Inc.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served March 12, 1973. Hearing on Confirmation of Assessment Roll Thursday, March 22, 1973 at 3:30 p.m.
Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1334-1973, for the vacation of the first alley north of Main Street from the east property line of Clinton Street to a point approximately 215 feet east of the east property line of Lafayette Street. WAIVER was signed by Fort Wayne Fine Arts Foundation, Inc.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served March 12, 1973. Hearing on Confirmation of Assessment Roll Thursday, March 22, 1973 at 3:30 p.m.
Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1335-1973, for the vacation of the first alley east of Barr Street from the north property line of Main Street to the south property line of Columbia Street. WAIVER was signed by Fort Wayne Fine Arts Foundation, Inc.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served March 12, 1973. Hearing on Confirmation of Assessment Roll Thursday, March 22, 1973 at 3:30 p.m.
Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1336-1973, for the vacation of Barr Street from the north property line of Main Street to the southerly right of way line of the Norfolk & Western Railway Company. WAIVER was signed by Fort Wayne Fine Arts Foundation, Inc.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served March 12, 1973 at 3:30 p.m. Hearing on Confirmation of Assessment Roll Thursday, March 22, 1973 at 3:30 p.m.
Received a request from Indiana & Michigan Company, 2101 Spy Run Avenue, Joe Longardner, for permission to block the west lane of Calhoun Street and the north lane of Berry Street, also to block the west lane of Harrison Street between Berry and Lewis Streets on Monday, March 5, 1973 from 9 a.m. to 3 p.m. PURPOSE: Install primary cable.	Approved and permit was issued.

11. Permission was granted to Northside High School Teacher, Bill Mitchell, to hold a parade on March 2, 1973 from 6:15 p.m. to 6:30 p.m. Route to be traveled: Starting at Northside High School, to Fricke Avenue to Parnell Avenue terminating at the Memorial Coliseum.	Approved and permit was issued.
12. Permission was granted to Fort Wayne Storage Company, 806 Hayden Street, % Mrs. Beaumont, for parking a truck in front of 811 South Calhoun Street and 914 South Calhoun Street on Friday, March 2, 1973 from 6 p.m. to 10 p.m. PURPOSE: To move Household Finance Co.	Approved and permit was issued.
13. Permission was granted to Walter and Helen B. Foster, 1011 N. Anthony Blvd., to use the following property: City Street property west of Lot 34 Anthony Boulevard Place Addition and extending within 8 feet of the Dike. For the period beginning of the 31st day of March, 1973 and ending on the 31st day of October, 1973, for gardening purposes only. PURPOSE: Gardening.	Approved and permit was issued.
14. Received the Plat of Shoaff Park Village East submitted and approved by the City Plan Commission.	Approved. Received: Agreement and Performance Bond in amount of $5000 for Hipskind Asphalt Corporation on sidewalks for Lots 5, 6, 7, 8, 10, 11, 12, 13, 14, 16 and 19. Agreement and Performance Bond in amount of $5000 for Chatham Corporation on sidewalks for lots 1, 2, 3, 4, 9, 15, 17 and 18. Agreement and Performance Bond in amount of $7000 for Chatham Corporation on 14 street lights.
15. Received a petition for the paving of 1500 block of Fisher Street.	Ordered the City Engineering Department to prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.

Received inspection report from the Water Pollution Control Engineering Department for Acceptance of Storm Sewers ONLY in all sections of Bullerman Park Forest.

Approved.

Ordered acceptance letter written.

Permission was granted to Community Episcopal, % Jean Dickey, 6824 Balmoral Drive, to barricade Fulton Street between Wayne Street and Berry Street on Saturday, May 12, 1973 from 10:00 a.m. to 5:00 p.m.

PURPOSE: Flea Market

Approved and permit was issued.

Received City Utilities Purchase Order No. 9646, dated March 2, 1973, for 100,000 ft. of Triplexed Service Drop Wire.

RECEIVED BIDS:

GRAYBAR ELEC. COMPANY -	$70.50/M -	$7,050.00
GENERAL ELEC. SUPPLY CO. -	70.80/M	7,080.00
GENERAL ELECTRIC CO. -	No Bid	
WESTINGHOUSE ELEC. SUPPLY CO. -	71.50/M	7,150.00

Through the recommendation of Purchasing Agent of City Utilities, the bid of Graybar Electric Company was accepted under Purchase Order NO. 9646 for the amount of $7,050.00

Ordered sent to the Common Council Tuesday, March 13, 1973 at 8:00 p.m.

Pursuant to a report from City Utilities Auditing Department listing unpaid Electric, Water and Sewer invoices charged to the Board of Safety, it is deemed desirable to write off said bills, as per list submitted, in the sums as follows:

ELECTRIC	---	$33,025.64
WATER	---	206.47
SEWER	---	204.75
		$33,436.86 TOTAL

Approved.

Received a request from Hawk Construction Co. 3111 St. Joe Center Road, for permission to block the east lane of traffic on Calhoun Street on the west side of the Court House, Thursday, March 8, 1973 from 7:00 a.m. to 12:00 Noon.

PURPOSE: Park concrete truck and concrete pump.

Approved and permit issued.

21. Permission was granted to Hamilton Hunter, 915 S. Lafayette Street, to park in front of 119 E. Berry Street using two parking meters on Wednesday, March 7, 1973 to Wednesday, March 21, 1973 from 8:00 a.m. to 5:00 p.m. PURPOSE: Remodeling of 3rd Floor Office.	Approved and permit was issued.
22. Pursuant to authorization by the Common Council (S-11-73) for expenditure of up to $1,037.00.00 to bid at foreclosure sale of properties belonging to Indiana Suburban Sewers, Inc. and Suburban Services, Inc. held February 28, 1973, the City did purchase said properties for $974,800.00.	Sewer system located in parts of Adams and Marion Townships, constructed and operated by Indiana Suburban Sewers, Inc., will now be operated by the City of Fort Wayne Utilities.
23. Pursuant to Agreement to Purchase received from Greenway Corporation, the Board deems it advisable to sell parcel of City property acquired through abandonment of old feeder canal and described as: Tract "D" being the Dam Site and Guard Bank on the left bank of the St. Joseph River in Richardville Reserve. The offer of Greenway Corporation is $7,000.00 and the appraisal is $3,500.00.	Approved and sent to Common Council Tuesday, March 13, 1973 at 8:00 p.m.

Meeting adjourned at 9:35 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, March 8, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meeting held on Monday, March 5, 1973 at 9 a.m.; also Meeting held on Tuesday, March 6, 1973 at 9 a.m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received driveway applications:

Approved and permit issued.

South Anthony Blvd. - 168' south of CL
Seddlemeyer Ave. ------ Richard Hire

Received Pole Line Application.

Approved and permit issued.

Washington Blvd. at Cloverleaf (1,000' to west) south side of road.

Received street cut applications:

Approved and permits issued.

2705 Alma (prkstrp) -------	Water Const.
tler & Barr Sts. -------	NIPSCO
Hobson Rd. W. side -------	Water Engr.
Homedale Dr. --------------	Water Engr.
1109 Nuttman -------------	NIPSCO
27½ Oliver -------------	NIPSCO
27 and 2103 Oliver ------	NIPSCO
715 Oliver --------------	NIPSCO
04 Ontario --------------	NIPSCO
28 Plaza Dr. ----------	R & A Plumb.
(alley) Queen & Abbott ---	NIPSCO
3431 Raymond ------------	NIPSCO
333 Regis Dr. ------------	NIPSCO
dgeway-Dexter-Dellview -	Water Engr.
1133 Rivermet (alley) -----	NIPSCO
10 Rosemont (alley) -----	NIPSCO
inson - Castle ----------	Water Engr.
5330 St.Joe Road ----------	NIPSCO
52-2972 Simcoe Dr. (prkstrp) -	Water Const.
3329 E. State (prkstrp) -------	Water Const.
(rear) 1302 E. State -------	Gen. Tele. Co.

3001-3017 Simcoe Dr. (prkstrp) --- Water Const.
2919 - 2933 Simcoe (prkstrp) --- Water Const.
2901-2917 Simcoe (prkstrp) ----- Water Const.
2818 - 2832 & 2922 - 2936
Simcoe (bore - prkstrp) --- Water Const.
4508 Sanford Lane (bore -
prkstrp) ----------------- Water Const.
4505 Sanford Lane (prkstrp) ------ Water Const.
2030 Skyhawk Dr. (bore -
prkstrp) ---------------- Water Const.
500 Blk. E. Tillman Rd. Bridge -Street Engr.
1028 Trick (prkstrp) ---------- Water Const.
1026 Ventura Lane (bore -
prkstrp) ----------------- Water Const.
Williams and Barr Sts. --------- NIPSCO
7119 White Eagle Dr. (prkstrp) -- Water Const.
Winchester & L. Huntington Rd. -- Bd. of Wks.

6. Received Declaratory Resolution No. 1338-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Chandler Drive from the west property line of Autumn View Drive to its western terminus.

Approved and adopted. A true copy of which Res. 1338-1973 is incorporated by reference herein and appears in Minutes herein, under Res. 1338-1973.

Advertise, Notice to Property Owners, March 16, 1973 and March 23, 1973.

Hearing on Confirmation Thursday, April 5, 1973 at 3:30 p.m.

Notices to be mailed March 23, 1973.

7. Received Invoice No. 1 of Shambaugh & Son, Inc., for construction work on Interim Phosphorus Removal System for services up to December 31, 1972 for the amount of $3,528.00.

Approved.

Ordered City Utilities to pay Invoice No. 1 of Shambaugh & Son, Inc., amount of $3,528.00 from the Water Pollution Control Utility Fund.

8. Received a request from A-1 Sanitary Sewer Service, 404 High Street, for permission to close the alley in the 1900 block of Emma Street on Thursday, March 8, 1973 from 2:00 p.m. to 5:00 p.m.
PURPOSE: Emergency Sewer Repair

Approved and permit issued.

9. Received Agreement between the City of Fort Wayne, Indiana and Beam, Longest & Neff, Inc., Consulting Engineers, for engineering services in connection with improvement of Rudisill Boulevard from Indiana Avenue to Broadway.

Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Engineering Services.

Meeting adjourned at 9:15 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, March 8, 1973

Department of Public Works Office of the Board Room 910, City-County Building Regular meeting held at 3:30 p.m.	
J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	PRESENT: J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
HEARING ON CONFIRMATION	CONFIRMED.
Water Improvement Resolution No. 1004-1972 - in and along Lemar Drive, Autumn View Drive, Ridgeway Drive, Dexter Drive, Dellview Drive, Stinson Drive, Castle Drive, Oakwood Drive, and Chandler Drive, all in Eastland Gardens Addition Section "B".	Advertise, Notice to Contractors, March 15 and 22, 1973. Receive Bids Tuesday, March 27, 1973 at 9:00 a.m. Ordered the Water Engineering Department to prepare the Bid Documents.
Received Invoice NO. 7 of Westenhoff & Novick, Inc., in the amount of $811.62 for professional engineering services in connection with the Planning of the Proposed East-West Highway Phase I.	Approved and ordered invoice of Westenhoff & Novick, Inc., in the amount of $811.62 paid from the Motor Vehicle Highway Fund, 88-261.

Meeting adjourned at 4:15 p.m.

J D Boswell

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, March 12, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk application. 2302 Brooklyn Ave. ----------- Lewis T. Foust	Approved and permit issued.
4. Received driveway application. 3433 Casselwood Drive -Hilker-Hubertz Homes, Inc.	Approved and permit issued.
5. Received street cut applications:	Approved and permits issued.

N. Calhoun and Sixth St.	NIPSCO
3007 Dellview	NIPSCO
Eleanor & Glenn	NIPSCO
2536 Ellen (prksp)	Water Const.
707 Home Ave.	NIPSCO
6111 Kiwanis	NIPSCO
3802 Northcreek Dr.	NIPSCO
1109 Nuttman	NIPSCO
1150 Ohio	NIPSCO
1734 Olladale	NIPSCO
Ontario & Brooklyn	NIPSCO
1309 Oxford St.	NIPSCO
Pinewood Dr.	NIPSCO
2120 Pleasant	NIPSCO
2214 Rehm Dr.	NIPSCO
3222 Reynolds	NIPSCO
1736½ Richardson	NIPSCO
Steup St. bet. Ellen & Emma (alley)-	Bercot, Inc.
1204 Trick Ave. (prkstrp)	Water Const.
200 W. Woodland	NIPSCO

Received Sanitary Sewer Improvement Resolution NO. 852-1973, final plans, estimate, specifications and property ownership list, prepared by the Water Pollution Control Engineering Department for sewer beginning at a proposed manhole over an existing sanitary sewer 32 ± L.F. East of and 18 ± L.F. South of the centerline intersection of Reed Road and Eastwick Drive; thence, North ,022 ± L.F. terminating at a proposed cleanout located 39 ± L.F. East of and 55 ± L.F. South of the centerline intersection of Reed Road and Woodstock Drive. LATERAL "A" Beginning at an existing sanitary manhole located 191 ± L.F. West of and 90 ± L.F. South of the centerline intersection of Reed Road and Karen Avenue; thence, North 110 ± L.F. terminating at a proposed cleanout located 181 ± L.F. West of and 21 ± L.F. North of the centerline intersection of Reed Road and Karen Avenue.	Referred back to Water Pollution Control Engineering for further study.
Received Sewer Easement Resolution No. 119-1973, final plans and property ownership list, prepared by the Water Pollution Control Engineering Department, for the condemnation of temporary and permanent sewer easement purposes for installation of a sanitary sewer within a portion of space bounded on the South by a line 144 feet North of and parallel to Eastwick Drive; bounded on the North by the Easterly extension of the North right of way line of Woodstock Drive; bounded on the East by a line 50 feet East of and parallel to the centerline of Reed Road; bounded on the West by a line 173 feet West of and parallel to the centerline of Reed Road. (SEWER NO. 852-1973)	Referred back to Water Pollution Control Engineering for further study.
Received Contract, Guaranty and Liability Bond of Bercot, Inc., in the amount of $21,204.50, prepared by the Water Engineering Department, signed by General Insurance Company of America for Water Improvement Resolution No. 1006-1972 - all in Hickory Grove Addition, Sections B & C.	Approved and ordered sent to Common Council Tuesday, March 27, 1973 at 8 p.m.

9. Permission was granted to Walter Kocher, 412 S. Harrison Street, to use the following property: Space North of River between Wells Street and Harrison Street Bridges and 150 feet space northeast of the Harrison Street Bridge - for the period beginning on the 15th day of May, 1973 and ending on the 31st day of October 1973. PURPOSE: for gardening only.	Approved and permit was issued.
10. Permission was granted to Howard C. LeClaire, 1015 N. Anthony Blvd., to use the following property: Space immediately west of Lot No. 31, Anthony Boulevard Place Addition, 1000 block Garfield Street. - for period beginning on the 31st day of March 1973 and ending on the 31st day of October, 1973. PURPOSE: for gardening only.	Approved and permit was issued.
11. Received Escrow Agreement between Bowen Engineering Corporation, Indiana Bank and Trust Company and the City of Fort Wayne, covering work performed on Section V of the Sewer Expansion Project known as Storm Caused Overflow by Screening Method 11020 GYU, or Sewer Resolution No. 279-1972. Said Agreement conforms with Indiana code 5-16-5.5, requiring City to deposit retainage on payments for contracts amounting to $100,000.00 or more with an escrow agent.	Approved. Ordered City Utilities to deposit $21,170.10 in escrow account which is the retainage from three payments made to Bowen Engineering Corporation to date. Said amount to be paid from Water Pollution Control Fund.
12. Received Sheriff's Deed provided by Robert A. Bender, Sheriff of Allen County, for purchase of property owned by Indiana Suburban Sewers, Inc. and Suburban Services, Inc., which property was purchased by City of Fort Wayne Utilities at Sheriff's Sale February 28, 1973 for $974,800.05. Instrument F-11822 73-04944, Recorded March 1, 1973.	Approved. A true copy of which Sheriff's Deed is incorporated by reference herein and appears in Minutes herein under Sheriff's Deed.

Meeting adjourned at 9:15 a.m.

Dr Lowell

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, March 15, 1973

rtment of Public Works
ice of the Board
910, City-County Building
lar meeting held at 3:30 p.m.

Boswell, R. L. Bonar, W. G. Williams I. Smith, Clerk	J. D. Boswell, R. L. Bonar
ARING ON CONFIRMATION OF ASSESSMENT ROLL: claratory Resolution No. 1328-1972 - for e vacation of Wall Street from the east ne of Lot 143, Swinneys Addition to a int 325.65 feet west said point being the northerly projection of the west ght of way line of Phenie Street; also r the vacation of Phenie Street from the rth right of way line of Swinney Avenue the south right of way line of Wall reet.	CONFIRMED and ordered sent to the Department of Finance.
ceived Special Sewer Permit for Yost mpanies, Inc., prepared and approved by the Water Pollution Control Engineer- g Department and Performance and aranty Bond for the amount of $15,844.00 gned by the Indiana Bonding and Surety mpany to construct a sanitary sewer known s Ardmore Plaza Sanitary Sewer Extension.	Approved and Special Sewer Permit issued.
ceived a petition for Water Mains in- llation to serve Stardale Drive from essen Cassel Road to its western terminus.	Ordered Water Engineering Department to prepare plans and all details necessary for the improvement. Board Order No. 60-1973 issued.
ceived a request from Ceko, Inc., Box 1, for permission to barricade the side- and one lane of West Main in front of , 112, and 114 West Main, Saturday, March 17, 1973 Saturday, April 7, 1973 at varied times. RPOSE: Tear down buildings.	Approved and permit issued.

5.

RESOLUTION OF GOVERNING BODY OF APPLICANT
NO. 59-170-5

Resolution of municipality authorizing the filing of an application for a State Grant and Federal assistance for an infiltration study, Phase I, Identification, hereinafter called the project, of the existing sewer collection system of the City of Fort Wayne.

WHEREAS, Chapter 397, Acts of the 1969 Indiana General Assembly and the Federal Water Pollution Control Act, Amended 1972, provide financial aid for the project; and

WHEREAS, the City of Fort Wayne, herein called the Municipality, is dedicated to implement the objectives of the Federal Water Pollution Control Act, Amended 1972, which is to restore and maintain the chemical, physical and biological integrity of the nation's waters. The Municipality intends to proceed with the project upon receipt of the requested State and Federal grants;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works, the governing body of said Municipality, the following:

(1) That Dr. Jerry D. Boswell, Chairman of the Board of Public Works, be authorized to make applications for State and Federal grants and provide the Stream Pollution Control Board such information, data, and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.

(2) That the Municipality agrees that if a Federal and State Assistance Grant for the project is provided, pursuant to the Federal Water Pollution Control Act, as amended 1972, and Chapter 397, Acts of 1969, Indiana General Assembly, the City of Fort Wayne and/or Developers will pay the remaining costs of the approved project.

(3) That all statements, data, and supporting documents made or submitted by the Municipality in connection with any application for Federal Assistance for the project are to be deemed a part of the application for a State Grant.

(4) That the Municipality agrees to comply with the requirements of the Stream Pollution Control Board.

(5) That seven certified copies of the resolution be prepared to accompany the apolications for State and Federal grants for the project.

RESOLUTION OF GOVERNING BODY OF APPLICANT
NO. 59-171-6

Resolution of municipality authorizing the filing of an application for a State Grant and Federal Assistance to construct certain Southeast Sewage Collector Systems, hereinafter called the project.

WHEREAS, Chapter 397, Acts of the 1969 Indiana General Assembly and the Federal Water Pollution Control Act, Amended 1972, provide financial aid for the project; and

WHEREAS, the City of Fort Wayne, herein called the Municipality, has developed detailed construction plans for the project, the Municipality intends to proceed with the construciton of such project, upon receipt of the requested State and Federal grants;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works, the governing body of said Municipality, the followind:

(1) That Dr. Jerry D. Boswell, Chairman of the Board of Public Works, be authorized to make applications for State and Federal grants and provide the Stream Pollution Control Board such information, data, and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.

(2) That the Municipality agrees that, if a Federal and State Assistance Grant for the project are provided, pursuant to the Federal Water Pollution Control Act, as amended 1972, and Chapter 397, Acts of 1969 Indiana General Assembly, the City of Fort Wayne will pay the remaining costs of the approved project.

(3) That all statements, data, and supporting documents made or submitted by the Municipality in connection with any application for Federak Assistance for the proposed construction are to be deemed a part of the application for a State Grant.

(4) That the Municipality agrees to comply with the requirements of the Stream Pollution Control Board.

(5) That seven certified copies of the resolution be prepared to accompany the applications for State and Federal grants for the construction of the project.

7. RESOLUTION OF GOVERNING BODY OF APPLICATION
NO. 59-172-7

Resolution of Municipality authorizing the filing of an application for a State Grant and Federal Assistance to prepare construction plans, working drawings, final estimates, specifications, etc. on the Lakeside Storm Relief Sewers and Treatment hereinafter called the Project.

WHEREAS, Chapter 397, Acts of the 1969 Indiana General Assembly and the Federal Water Pollution Control Act Amended 1972 provice financial aid for the PROJECT: AND

WHEREAS, the City of Fort Wayne, herein called the Municipality, is dedicated to implement the objectives of the Federal Water Pollution Control Act Amended 1972, which is to restore and maintain the chemical, physical and biological integrity of the Nation's Waters. The Municipality intends to proceed with the Project upon receipt of the requested State and Federal Grants;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works, the governing body of said Municipality, the following:

(1) That Dr. Jerry D. Boswell, Chairman of the Board of Public Works, be authorized to make applications for State and Federal grants and provide the Stream Pollution Control Board such information, data, and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.

(2) That the Municipality agrees that if a State Grant and Federal Assistance for the Project are provided pursuant to the Federal Water Pollution Control Act, as amended 1972, and Chapter 397, Acts of 1969 Indiana General Assembly, the City of Fort Wayne will pay the remaining costs of the approved Project.

(3) That all statements, data, and supporting documents made or submitted by the Municipality in connection with any application for Federal Assistance for the Project are to be deemed a part of the application for a State Grant.

(4) That the Municipality agrees to comply with the requirements of the Stream Pollution Control Board.

(5) That seven (7) certified copies of the Resolution be prepared to accompany the applications for State and Federal grants for the Project.

RESOLUTION OF GOVERNING BODY OF APPLICANT
NO. 59-173-8

Resolution of municipality authorizing the filing of an application for a State Grant and Federal Assistance for construction of a water pollution control project to construct certain Master Plan Sanitary Interceptors, St. Joe and Junk Ditch, hereinafter called the Project.

WHEREAS, Chapter 397, Acts of the 1969 Indiana General Assembly and the Federal Water Water Pollution Control Act Amended 1972 provide financial aid for Project; and

WHEREAS, the City of Fort Wayne, herein called the Municipality, has plans to develop detailed construction drawings for the Project. The Municipality intends to proceed with the construction of such Project upon receipt of the requested State and Federal Grants;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works, the governing body of said Municipality, the following:

(1) That Dr. Jerry D. Boswell, Chairman of the Board of Public Works, be authorized to make applications for State and Federal Grants and provide the Stream Pollution Control Board such information, data, and documents pertaining to the application for the grants as may be required, and otherwise act as the authorized representative of the Municipality in connection with said application.

(2) That the Municipality agrees that if a State Grant and Federal Assistance are provided for the project pursuant to the Federal Water Pollution Control Act, as amended 1972, and Chapter 397, Acts of 1969 Indiana General Assembly, the City of Fort Wayne and/or Developers will pay the remaining costs of the approved Project.

(3) That all statements, data, and supporting documents made or submitted by the Municipality in connection with any application for Federal Assistance for the proposed construction are to be deemed a part of the application for a State Grant.

(4) That the Municipality agrees to comply with the requirements of the Stream Pollution Control Board.

(5) That seven certified copies of the resolution be prepared to accompany the applications for State and Federal Grants for the construction of the Project.

Meeting adjourned at 3:45 p.m.

J. D. Boswell
Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith
Edna I. Smith, Clerk

Monday, March 19, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar,
Edna I. Smith, Clerk

Received minutes of meeting held Thursday, March 8, 1973 at 9 a.m.; Thursday, March 8, 1973 at 3:30 p.m.; Monday, March 12, 1973 at 9 a.m.; and Thursday, March 15, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk applications.	Approved and permits issued.

2920 Pennsylvania ----- A.M. Tilbury, Inc.
2006 E. Pontiac ------- J. L. Thomas Const.
2039 Riedmiller ------- J. L. Thomas Const.

4. Receive street cut applications.	Approved and permits issued.

235 E. Coliseum (prkstrp) ---- Water Const.
Cumberland -W. of Newport ------- NIPSCO
4211 Earth Dr. (prkstp) ----- Water Const.
3338 Middle on Elyetta -------- NIPSCO
1917 Emma St. ---------------- A-1 Sani.Co.
3400 Engle Road -------------- NIPSCO
7530 Ensign Ct. (prkstrp) ---- Water Const.
4932 Forest (prkstrp) ------- Water Const.
NEC - Hanna & Creighton ----- Signal Dept.
3204 Harvester (alley) ----------- NIPSCO
2426 Lillie (alley) -------------- NIPSCO
1815 W. Main -------------------- NIPSCO
1923 W. Main (alley) ------------ NIPSCO
1424 W. Main --------------- NIPSCO
1317 W. Main (alley) ------------- NIPSCO
1633 W. Main --------------------- NIPSCO
1621 W. Main (alley) ----------- NIPSCO
2421 W. Main -------------------- NIPSCO
1404 Maumee (alley) --------------- NIPSCO
1113 Maumee (alley) ------------- NIPSCO
3126 Maumee ---------------------- NIPSCO
3911 Mobile ---------------------- NIPSCO

21 S. Monroe (alley --------------- NIPSCO
1216 S. Monroe (alley) ------------- NIPSCO
19 Monroe (alley) --------------- NIPSCO
26 New Haven ------------------ NIPSCO
1208 Park ---------------------- NIPSCO
1224 & 1220 E. Pontiac ---------- NIPSCO
22 Redbud Dr. ------------------ NIPSCO
Reed Road W/Lake --------- Signal Dept.
Reed Road W/Lake --------- Signal Dept.
Reed Rd. intersection Lake --- Signal Dept.
Reed & Lake (4 cor.) -------- Signal Dept.
tland Lane 4209 --------- NIPSCO
State @ Jessee ------- Street Engr.
426 Thompson ----------------- NIPSCO
ance Ave. bet. Hobson Rd.
& Sherborne Blvd. ----- NIPSCO
314 Wallace -------------------- NIPSCO
324 Wolverton Dr. (prkstrp) --- Water Const.

Received driveway applications.

Approved and permits issued.

310 East Congress ---------- James L. Costin
114 Dale Dr. -------------- Lebrato Bros.
2722 Thompson ------------- D. L. Wehling

Received Sidewalk Improvement Resolution No. 5629-1973, final plans, estimate and property ownership list, prepared by the Street Engineering Department for the construction of sidewalk on the north side of Colerick Street from the east property line of the first alley east of Reed Street to the west curb line of Winter Street, except where sidewalk is now in place.

Approved and adopted. A true copy of which Resolution No. 5629-1973, is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5629-1973.

Advertise, Notice to Property Owners, March 23 and 30, 1973.

Hearing on Confirmation Thursday, April 12, 1973 at 3:30 p.m.

Notices to be mailed on March 30, 1973.

Received Agreement, Performance and Guaranty Bond of Hipskind Asphalt Corporation, in the amount of $7,400.00, prepared by the Water Engineering Department, signed by Trinity Universal for Contract No. 7301, for Modifications to Water Facilities U.S. Highway #30 ByPass, U-Project No. 724 (21).

Approved.

Ordered Agreement in the amount of $7,400.00 sent to the Common Council Tuesday, March 27, 1973 at 8 p.m.

Received Agreement, Performance and Guaranty Bond of Nobis-Westropp Construction Co., Inc., in the amount of $64,860.10, prepared by the Water Engineering Department, signed by the Fidelity and Deposit Company of Maryland for Contract No. 73-XP-1, for construction of Beacon-Vance-Hobson Feeder Main Phase I.

Approved.

Ordered Agreement in the amount of $64,860.10 sent to the Common Council Tuesday, March 27, 1973 at 8 p.m.

9. Permission was granted to Bercot Advertising, P.O. Box 1349, % Kenny Gaff, to block the North bound lane along side of Patterson Fletcher on Harrison Street, also to block the South lane on Wayne Street along side of building on Monday, March 19, 1973 and Tuesday, March 20, 1973 from 9:00 a.m. to 4:00 p.m.
   PURPOSE: Remove the tele-a-sign from Patterson-Fletcher building.

   Approved and permit was issued.

10. Permission was granted to Mr. Ralph Hicks, 2822 Pennsylvania Avenue, Ft. Wayne, Indiana, to use the following property: The first lot east of 2822 Pennsylvania - for the period beginning on the 1st day of April, 1973 and ending on the 31st day of October 1973 for gardening purposes only.
    PURPOSE: Gardening only.

    Approved and permit was issued.

Meeting adjourned at 9:20 a.m.

J. D. Boswell

Ronald K Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Wednesday, March 21, 1973

epartment of Public Works
ffice of the Board
oom 910, City-County Building
egular meeting held at 9:00 a.m.

D. Boswell, R. L. Bonar, W. G. Williams
na I. Smith, Clerk

PRESENT:
J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received purchase orders from the Purchasing gent of City Utilities.

Approved.

Received payment vouchers from the Auditor f City Utilities.

Approved and ordered sent to the Department of Finance.

Received driveway applications.

Approved and permits issued.

616 Ardis Drive --------- Lebrato Bros., Inc.
606 S. Barr St. --------- Molargik Const.
2914 S. Calhoun St. --- Hipskind Asphalt Corp.
121 Guild Drive --- Lebrato Bros., Inc.
500 Blk. Home Ave. --- Irmscher & Sons, Inc.
1616 Lakewood Drive --- Lebrato Bros., Inc.
1028 Trick Ave. --- Lebrato Bros., Inc.

Received street cut applications.

Approved and permits issued.

afayette & alley S/ Washington - Gen. Tel. Co.
3409 Lillie (alley) ------------------- NIPSCO
6013 Kiwanis Dr. (prkstrp) (1) --- Water Const.
6014 Kiwanis Dr. (bore - prkstrp)- Water Const.
6017 Kiwanis Dr. (prkstrp) ------ Water Const.
6018 Kiwanis Dr. (bore - prkstrp)- Water Const.
6108 Kiwanis Dr. (bore - prkstrp)- Water Const.
6111 Kiwanis Dr. (prkstrp) ------- Water Const.
1926 W. Main St. ------------- NIPSCO
5605 Woodhurst Blvd. (bore - prkstrp)-Water Const.
5626 Woodhurst Blvd. (prkstrp) -------Water Const.

5. Received preliminary plans, estimate, property ownership list and recommendation prepared by the Street Engineering Department for paving of Fisher Street from Reed Street to Winter Street.	Ordered the Street Engineering Department to prepare final plans, specifica estimate, property ownership list and improvement resolution; in accordance with the Acts of the General Assembly of 1905 as amended.
6. Received Sidewalk Improvement Resolution No. 5630-1973, final plans, estimate, specifications and property ownership list, prepared by Street Engineering Department for the construction of sidewalk on the east side of Calhoun Street from the north curb line of Tillman Road to the south curb line of Dunbar Lane, except where sidewalk is now in place.	Approved and adopted. A true copy of which Resolution No. 5630-1973, is incorporated by reference herein and appears in Minutes herein under Resolution No. 5630-1973. Advertise, Notice to Property Owners, March 30, 1973 and April 6, 1973. Notices to be mailed April 6, 1973.
7. Received Assessment Roll of Benefits and Damages, prepared by the Water Pollution Control Engineering Department for Easement Resolution No. 107-1972 for condemnation of a permanent and temporary Sewer Easement for area bounded by Washington Center Road, Penn Central Railroad and Ley Road, etc., as MODIFIED. (Sewer 848-1972 MODIFIED) Homewood Addition.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served April 2, 1973. Hearing on Confirmation of Assessment Roll Thursday, April 12, 1973 at 3:30 p.m.

Meeting adjourned at 9:15 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, March 22, 1973

artment of Public Works
fice of the Board
om 910, City-County Building
gular meeting held at 3:30 p.m.

D. Boswell, R. L. Bonar, W. G. Williams a I. Smith, Clerk	PRESENT: J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
EARING ON CONFIRMATION OF ASSESSMENT ROLL: eclaratory Improvement Resolution NO. 1333-1973, for the vacation of Columbia Street from the east property line of alhoun Street to the west property ine of Lafayette Street.	CONFIRMED and ordered sent to the Department of Finance.
EARING ON CONFIRMATION OF ASSESSMENT ROLL: Declaratory Improvement Resolution No. 1334-1973, for the vacation of the first alley north of Main Street from the east property line of Clinton Street to a point approximately 215 feet east of the east roperty line of Lafayette Street.	CONFIRMED and ordered sent to the Department of Finance.
EARING ON CONFIRMATION OF ASSESSMENT ROLL: eclaratory Improvement Resolution No. 335-1973, for the vacation of the first alley east of Barr Street from the north property line of Main Street to the south property ine of Columbia Street.	CONFIRMED and ordered sent to the Department of Finance.
EARING ON CONFIRMATION OF ASSESSMENT ROLL: eclaratory Improvement Resolution No. 336-1973, for the vacation of Barr Street rom the north property line of Main Street o the southerly right-of-way line of the orfolk & Western Railway Company.	CONFIRMED and ordered sent to the Department of Finance.

5. Permission was granted to Tuberculosis Association of Allen County, 802 W. Wayne Street to park the X-Ray Cruiser on the east side of Court Street, in the first two spaces north of Berry Street each Friday, - 10:00 a.m. to 4:00 p.m. starting:

   April 6, 1973
   " 13, 1973
   " 27, 1973
   May 4, 1973
   " 11, 1973
   " 18, 1973
   " 25, 1973
   June 1, 1973
   " 8, 1973
   " 15, 1973
   " 22, 1973
   " 29, 1973

   PURPOSE: X-Ray for Tuberculosis

Approved and permit was issued.

Meeting adjourned at 3:45 p.m.

Boswell

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, March 26, 1973

epartment of Public Works
ffice of the Board
om 910, City-County Building
gular meeting held at 9:00 a.m.

D. Boswell, R. L. Bonar, W. G. Williams
na I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

eceived Minutes of Meeting held Monday,
arch 19, 1973 at 9 a.m.; Wednesday,
rch 21, 1973 at 9 a.m.; and Thursday,
arch 22, 1973 at 3:30 p.m.

Received purchase orders from the Purchasing gent of City Utilities.

Approved.

Received payment vouchers from the Auditor f City Utilities.

Approved and ordered sent to the Department of Finance.

Received private sidewalk application.

Approved and permits issued.

6107 Bluespruce -----------T. J. Lebrato
2916 Pinewood Dr. ---------T. J. Lebrato
1130 E. Pontiac ---------Samuel Smith
SW cor - Pontiac & Oliver -Samuel Smith

Received Pole Line Application.

Approved and permit issued.

(alley) south of Main Street west of
Barr Street -------- City Light & Power

Received street cut applications.

Approved and permits issued.

nthony Blvd. S/Maumee ------- NIPSCO
1923 Bear Paw Dr. (prkstrp) Water Const.
3229 Boone (alley) ------------- NIPSCO
1840 Broadway (street) --- Water Const.
903 Buell ----------------- NIPSCO
001 Clayton ----------------- NIPSCO
EC College & Washington - Street Engr.
1121 Elmwood (alley) ---------- NIPSCO
201 Wells on Florence ------- NIPSCO
237 Hayden ------------------- NIPSCO
902 Liberty on Harmer --------- NIPSCO
524 Hayden ------------------- NIPSCO
221 Hazelwood --------------- NIPSCO
1601 High --------------------- NIPSCO

High & Schilling ------------- NIPSCO
3019 Hoagland (alley) -- Gen. Tel. Co.
302 W. Jefferson (alley) ------- NIPSCO
731 E. Jefferson -------------- NIPSCO
2324 John -------------------- NIPSCO
824 Kinnaird (alley) ------------ NIPSCO
1332 Kitch --------------------- NIPSCO
1317 S. Lafayette (alley) ------- NIPSCO
1922 Lakeview ------------------ NIPSCO
1716 Lanternier ----------------- NIPSCO
422 LaSalle St. ----------------- NIPSCO
717 Lavina St. ------------------ NIPSCO
719 Lavina -------------------- NIPSCO
107 E. Leith (alley) ---------- NIPSCO
318 E. Leith ---------------- NIPSCO
215 E. Lewis (alley) ------------ NIPSCO
627 E. Lewis (alley) ------------ NIPSCO
921 E. Lewis (alley) ------------ NIPSCO
450 Lenox ------------- Sewer Maint.
1615 E. Lewis ---------------- NIPSCO
1727 Lindley ----------------- NIPSCO
1216 W. Main (alley) ------------ NIPSCO
1400 Martin ------------------- NIPSCO
1923 Maumee ------------------- NIPSCO
7215 Miahqueah Dr. ----- Water Const.
1232 Oak (alley) --------------- NIPSCO
3115 Pittsburg ---------------- NIPSCO
2211 Redwood ------------------- NIPSCO
1717 Riedmiller ---------------- NIPSCO
1429 & 1441 Summit ------------- NIPSCO
752 Taylor --------------------- NIPSCO
1010 Third (alley) ------------ NIPSCO
600 Watkins ------------------ NIPSCO
1001 E. Washington (alley)------- NIPSCO
1436 Wall ---------------------- NIPSCO
1121 E. Washington (alley) ------ NIPSCO
1306 E. Washington (alley) ------ NIPSCO
S. Washington Rd. & Saginaw (st.) --
----------- Water Const.
217 W. Washington Center Road -- NIPSCO
711 W. Wayne (alley) ----------- NIPSCO
619 W. Wayne (alley) ----------- NIPSCO
3921 Webster (alley) ----------- NIPSCO
5605 Woodhurst ----------------- NIPSCO
5626 Woodhurst ----------------- NIPSCO

6.	Received Agreement, Performance and Guaranty Bond of Jay Fox Construction, Inc., in the amount of $27,560.50, prepared by the Water Engineering Department, signed by Aetna Casualty & Surety Company for Contract No. 73-XP-2, for construction of Cook Road Feeder Main Phase I.	Approved. Ordered Agreement in the amount of $27,560.50 sent to the Common Council Tuesday, April 10, 1973 at 8 p.m.
7.	Permission was granted to City Glass Company, 2124 South Calhoun Street, % Richard Hollman, to block Harrison Street along side Patterson-Fletcher on Thursday, March 22, 1973, from 8:00 a.m. to 10:00 a.m. PURPOSE: To put in glass on side of building.	Approved and permit was issued.

rmission was granted to Northern Indiana blic Service, 1501 Hale Avenue, to close the st end of the alley behind 1905 Lawndale which s bordered by Curdes, Buena Vista, and Kensing- on Thursday, March 22, 1973 at 2:30 p.m. to iday, March 23, 1973 at 5:00 p.m. RPOSE: Emergency Gas Leak Repair.	Approved and permit issued.
eceived Special Sewer Permit for Jewel ilders, Inc., prepared by the Water Pollution ntrol Engineering Department and Performance d Guaranty Bond for the amount of $58,000.00 gned by the Seaboard Surety Company to con- truct a storm sewer known as Woodview Manor torm Sewers.	Approved and Special Sewer Permit issued.

Meeting adjourned at 9:15 a.m.

Ronald K Bomar

BOARD OF PUBLIC WORKS

TEST:

L. Smith

Smith, Clerk

Tuesday, March 27, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application. — Approved and permit issued.

   616 E. Wallace ----------------Weikel Const. Co.

4. Received street cut applications. — Approved and permits issued.

   3316, 3322, 3304 & 3319 S. Barr --- NIPSCO
   2526 S. Calhoun ----------------- NIPSCO
   1215 E. Creighton ----------------- NIPSCO
   130 Esmond (alley) -------- W.R. Leininger
   2217 Gay ----------------------- NIPSCO
   2905 Gay ----------------------- NIPSCO
   902 Madison on Harmar ------ NIPSCO
   2736 Hoevelwood Dr. (bore - prkstrp) ------------- Water Const.
   614 Home --------------- NIPSCO
   617 Madison (alley) ------------ NIPSCO
   McKinnie & Abbott -------------- NIPSCO
   801 & 724 Milton -------------- NIPSCO
   2715 Oliver ------------------- NIPSCO
   616 E. Rudisill (alley) -------- NIPSCO
   2430 Smith --------------------- NIPSCO
   4130 Thornton Dr. (bore - prkstrp) -------- Water Const.
   Warsaw at Rudisill ------------ NIPSCO
   5521 Webster ------------------- NIPSCO

ECEIVE BIDS: ater Resolution No. 1004-1972 for installation of water in and along Lemar rive, Autumn View Drive, Rdigeway Drive, Dexter Drive, Dellview Drive, Stinson Drive, Castle Drive, Oakwood Drive, and andler Drive all in Eastland Gardens dition Section "B". ERCOT, INC. ----------------------$193,980.86 ARTH CONST. & ENGR., INC. --------$198,739.10 ATER CONST. -------- Taps Only --- 160.00 per tap	Referred to the Water Engineering Department for tabulation and report. Award Contract Thursday, March 29, 1973 at 9 a.m.
Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Street Improvement Resolution NO. 5604-1971 for improving Dodge Avenue from the west property line of Ellwood Road to the west property line of Reed Road	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment, March 30 and March 31, 1973. Hearing on Confirmation of Assessment Roll Thursday, April 12, 1973 at 3:30 p.m. Notices to be mailed April 2, 1973.
Received Change Order NO. 1 of Hipskind Asphalt Corporation in the amount of $4,000.00 providing for use of ARMCO Truss Pipe in lieu of the specified V.C.P. which decreases Contract Price the amount of $4,000.00. Sewer Resolution No. 857-1972 - Trixholme Addition.	Approved and ordered sent to Common Council Tuesday, April 10, 1973 at 8 p.m. Contractor is providing Maintenance Bond for period of five years instead of the usual three year period.
Received invoice No. 16 of Henry B. Steeg & Associates, Inc., for engineering services on torm Water Demonstration Grant Project EPA No. 11020 GYU as per contract of une 2, 1971 for the amount of $2,092.43.	Approved. Ordered City Utilities to pay invoice No. 16 of Henry B. Steeg & Associates, Inc., for $2,092.43 from Water Pollution Control Utility Fund.

9. Received Partial Payment No. 4 in the amount of $113,104.68 for Bowen Engineering Corporation covering work completed on the site for the period of February 1 to February 28, 1973 for Sewer Resolution No. 279-1972 - Storm Water Treatment Facility, Section V -E.P.A. No. 11020 GYU.

Approved.

Ordered City Utilities to pay $113,104.68 to Bowen Engineering Corporation from the Water Pollution Control Utility Fund.

Also, pay to Bowen Engineering Corporation Escrow Account at Indiana Bank & Trust Company retainage in the amount of $12,567.19 from Water Pollution Control Utility Fund.

Meeting adjourned at 9:15 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, March 29, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received Minutes of Meeting held Monday, March 26, 1973 and Tuesday, March 27, 1973, each at 9 a.m.	
Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received private sidewalk applications.	Approved and permits issued.

1617 Emerson	City of Fort Wayne
2414 South Wayne	City of Fort Wayne
1020 W. Washington	Toscos Const. Co.
4840 Winter	City of Fort Wayne

Received driveway applications.	Approved and permits issued.

6107 Bluespruce Court	T. J. Lebrato
Entrances on Hemphill Dr.	Shirmeyer Assoc.
Entrances on Redfield Dr.	Shirmeyer Assoc.
Entrances on Ridgetree Dr.	Shirmeyer Assoc.
Entrances on Rivertree Dr.	Shirmeyer Assoc.
Entrance on Springhill DR.	Shirmeyer Assoc.
900 Blk. W. State	Irmscher & Sons
South side of Illinois Rd. approx. 660' West of U. S. 24 R/W Line	Yost Co., Inc.
4211 Earth Drive	Schenkel & Sons, Inc.

Received street cut applications.	Approved and permits issued.

3317 Beaver	NIPSCO
1214 Broadway	NIPSCO
5014 Buell	NIPSCO
1224 Burgess	NIPSCO
1352 Eliza	NIPSCO
444 Fairfax	NIPSCO

4915 Fairfield (alley) ------------- NIPSCO
826 Hugh (alley) ------------------ NIPSCO
(alley) S/l Ida -W/o Tyler - Ind.& Mich.Elec.Co.
2914½ Indiana --------------------- NIPSCO
4404 Indiana ---------------------- NIPSCO
702 Irene------------------------- NIPSCO
2102 John ------------------------ NIPSCO
536 Kinsmoor ---------------------- NIPSCO
3414 Kirkland --------------------- NIPSCO
531 E. Lewis ---------------------- NIPSCO
3116 Maumee Ave. ---------- John Dehner, Inc.
5618 McClellan ------------------- NIPSCO
S/O Lower Huntington Rd. - Mill
Run, Lake Ridge ----------- Gen. Tel. Co.
7704 Newlin Dr. (prkstrp) --- Water Const.
Perth & Pontiac ------------------ NIPSCO
2728 Queen ---------------------- NIPSCO
5414 Stellhorn Rd. (bore-
parkstrip) ------- Water Const.
3118 Reed ------------------------ NIPSCO
902 Russell ----------------------- NIPSCO
3318 Schele ----------------------- NIPSCO
State & Barnhart NW cor. ---------- NIPSCO
5426 Stellhorn Rd. (bore -
parkstrip) ----- Water Const.
2200 & 2224 St. Joe Rd. (alley) --- NIPSCO
1319 Wall ------------------------ NIPSCO
600 Watkins ----------------------- NIPSCO
White Oak & Vance SE cor. --------- NIPSCO

6. Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Main Improvement Resolution No. 1004-1972 for area in Eastland Gardens Addition Section "B".

AWARD CONTRACT TO Bercot, Inc. at and for their Bid, in the amount of $164,940.86, subject to Councilmanic approval. 176 taps at $160.00 totaling $28,160.00 to be installed by Water Construction Dept. Order Water Engineer to prepare Contract and necessary documents.
Approved.

7. Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of North Eastern Construction Co., Inc., with Guaranty Bond in the amount of $10,000.00 signed by Auto-Owners (Mutual) Insurance Company for Walden Addition Sanitary Sewer.

Ordered acceptance letter written.

Meeting adjourned at

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna I. Smith, Clerk

Thursday, March 29, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
W. G. Williams
Edna I. Smith, Clerk

HEARING ON CONFIRMATION

Continued to Thursday, May 3, 1973 at 3:30 p.m.

Sewer Improvement Resolution No. 842-1972, beginning at a proposed manhole over a 30 inch sanitary sewer located 12 ± Lineal Feet West of and 5 ± Lineal Feet South of the centerline intersection of Edsall Avenue and Dwenger; thence South along the West right of way of Edsall Avenue to a proposed manhole located 3 ± Lineal Feet East of and 6 ± Lineal Feet South of the Southeast corner of Lot Numbered 76 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121; thence East 140 ± Lineal Feet, terminating at a proposed cleanout located 6 ± Lineal Feet North of and 12 ± Lineal Feet East of the Northwest corner of Lot Numbered 12 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

LATERAL "A"
Beginning at a proposed manhole located 15 ± Lineal Feet South of and 15 ± Lineal Feet West of the centerline intersection of Edsall Avenue and Jefferds Avenue; thence West 170 ± Lineal Feet along the South right-of-way line of Jefferds Avenue, terminating at a proposed manhole located 5 ± Lineal Feet WEst of and 10 ± Lineal Feet North of the Northwest corner of Lot Numbered 73 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

LATERAL "B"
Beginning at a proposed manhole located 13 ± Lineal Feet East of and 4 ± Lineal Feet South of the Northeast corner of Lot Numbered 120 of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121; thence West along the platted North line of Lot Numbered 120 of said Lincoln Park Addition 150 ± Lineal Feet, terminating at a proposed cleanout situated near the Northwest corner of said Lot Numbered 120

of Lincoln Highway Park Addition, as recorded in Plat Book 7-B, Page 121.

Said sewers shall be 10 inches and 8 inches in diameter.

2. HEARING ON CONFIRMATION

Sewer Easement Resolution No. 109-1972, for the installation of a sewer easement to serve Edsall Avenue from Dwenger Avenue South to Maumee Avenue.
(SEWER 842-1972)

Continued to Thursday, May 3, 1973 at 3:30 p.m.

3. HEARING ON CONFIRMATION

Alley Improvement Resolution No. 5628-1973, for improving the alley between Kinnaird Avenue and Packard Avenue from the west property line of the first alley west of Beaver Avenue to the east property line of the second alley west of Beaver Avenue.

Continued to Thursday, April 12, 1973 at 3:30 p.m.

Time up to receive remonstrances Monday, April 9, 1973 at 5 p.m.

4. HEARING ON CONFIRMATION

Declaratory Resolution No. 1332-1973 for the vacation of Dock Street from the east property line of Calhoun Street to the west property line of Barr Street.

CONFIRMED.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

5. HEARING ON CONFIRMATION

Declaratory Resolution NO. 1337-1973 for the vacation of Hystone Drive from the south property line of Ventura Lane to the north property line of Farwood Avenue.

CONFIRMED.

Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.

Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, to barricade uraine Drive at the Getz Road entrance on Tuesday, March 27, 1973 at 2:00 p.m. to Wednesday, March 28, 1973 at 8:00 a.m. PURPOSE: Install Gas Main (emergency)	Approved and permit was issued.
Received Partial Payment Estimate No. 10 from Henry B. Steeg & Associates, Inc. in the amount of $647.92 in connection with Agreement of April 27, 1971 for Water Pollution Control Facilities Improvements.	Approved. Ordered City Utilities to pay invoice No. 10 in the amount of $647.92 from the Water Pollution Control Utility Fund.
Received Special Sewer Permit for The Harrington Corporation prepared by and approved by Water Pollution Control Engineer and Performance Bond of John Dehner, Inc. to construct a storm sewer known as Storm Sewer to serve first alley Wēst of Kitch and South of Maumee Avenue (Norton Motel Building.).	Approved and Special Sewer Permit issued.
Received Special Sewer Permit for Trans-Am Development Corporation prepared and approved by Water Pollution Control Engineer and Performance Bond of North Eastern Construction Company, Inc., to construct a sanitary sewer known as Valley Meadows Sanitary Sewer, Section II.	Approved and Special Sewer Permit Issued.
Permission was granted to General Telephone Company, 140 Jacobs, to barricade parts of the street on Berry from Ewing to Union and on Main from Union to the far west of Main Street beginning on Wednesday, March 28, 1973 to Wednesday, April 18, 1973. PURPOSE: Splicing Trunk Cable	Approved and permit was issued.
Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, c/o Mel Stein to block Kentucky Avenue from State Street North to Charlotte Avenue on Thursday, March 29, 1973 from 9 a.m. to 3 p.m. PURPOSE: To install 12" gas line.	Approved and permit was issued.

12. Permission was granted to American War Mothers, Anthony Wayne Chapter, % MRS. WILLIAM GRAFT, 2431 Julian Street, to sell carnations on the downtown streets and the Industrial areas of Fort Wayne on Wednesday, Thursday and Friday - May 9, 10 and 11, 1973. PURPOSE: Rehabilitation of patients in the Veterans' Hospital.	Approved and permit was issued.
13. SALE OF CITY PROPERTY Special Ordinance S-26-73 grants the Board of Public Works authority to sell to Greenway Corporation for $7,000 the following described property: Tract "D" being known as the Dam Site and Guard Bank of the St. Joseph River in Richardville Reserve.	Said property sale is made a matter of record and copy of Deed is filed in vault.
14. Received a petition for the paving of Dalewood Drive with concrete to a width of 27 feet from the East line of Chancellor Drive to a point 620 feet East.	Ordered the City Engineer to prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.

Meeting adjourned at 3:55 p.m.

F. W. Braswell

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Wednesday, April 4, 1973

epartment of Public Works ffice of the Board Room 910, City-County Building Regular meeting held at 9 a.m.	
D. Boswell, R. L. Bonar, W. G. Williams a I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received Minutes of meeting held Thursday, March 29, 1973 at 9 a.m.; also Minutes of meeting held Thursday, March 29, 1973 at :30 p.m.	
Received purchase orders from the Purchasing Agent of City Utilities .	Approved.
Received paymnet vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received driveway application. 3936 Wawonaissa Trail ---- Robert Houser	Approved and permit issued.
Received private sidewalk applications. 3402 Abbott St. ------- Jet Const. Corp. 323 W. Branning ------ Leroy N. Kanning 2236 John St. --------- Daniel L. Edwards 532 W. Third St. ------ City of Fort Wayne	Approved and permits issued.
Received street cut applications. Barr St. - area of Dock St. --- Light Dept. unt Dr. CL / Paulding Rd. - Ind. & Mich. Elec. utler (alley) bet. Lafayette and Barr St. ----------- NIPSCO 823 S. Calhoun N/O (alley) ---- Gen. Tel. Co. xecutive Blvd. S/ U.S. 30 ----- NIPSCO 620 & 632 S. Harrison -------------- NIPSCO 5012 S. Harrison -------------------- NIPSCO 717 High St. -------------------- NIPSCO agland and Wildwood - center strp -- NIPSCO HOme ------------------------- NIPSCO 315 Howell ------------------------ NIPSCO 3425 Indiana ----------------------- NIPSCO 312 Inwood ----------------------- NIPSCO alley) 711 W. Jefferson - Quick Action Serv. ake and Pemberton ---------------- NIPSCO ndale 1905 (alley) --------------- NIPSCO Louisedale -------------------- NIPSCO Milton ---------------------- NIPSCO E. Rudisill --------------------- Nipsco Monroe ---------------------- NIPSCO Nelson -------------------- NIPSCO	Approved and permits issued

New Haven & Redwood --------- NIPSCO
Northrop N/Fernhill St. -----
Nuttman 926 -------------- NIPSCO
1717 E. Pontiac (alley) ------ NIPSCO
727 Ridgewood --------------- NIPSCO
Rudisill & Old Mill --------- NIPSCO
Rudisill & S. Anthony ------ NIPSCO
4109 Rutland (prkstrp) ----- Water Const.
4117 Rutland Lane (prkstrip) - Water Const.
4125 Rutland Lane (prkstrp) - Water Const.
4209 Rutland Lane (prkstrp) - WaterConst.
W. State and St. Mary's ----- NIPSCO
4226 Tacoma (alley)' ----- NIPSCO
1215 Third ----------------- NIPSCO
600 Watkins ----------------- NIPSCO
4710 Wayne Trace (prkstrp) --- Water Const.
2519 Winter (alley) -------- NIPSCO
4612 Woodstock ------------- NIPSCO

6. Pursuant to a report from City Utilities Auditing Department listing unpaid electric, water and sewer invoices, it is deemed desirable to write off said bills, totaling $4,107.42, as follows: Electric ---------- $2,486.08 Water ------------- $1,621.34	Approved.
7. Received Grant of Right of Way from the Department of Redevelopment whereby they quitclaim and convey to the City of Fort Wayne certain real estate in the Main Street Redevelopment Project R-52. Said property was given for the purpose of widening Main Street between Calhoun and Clay Streets. Recorded March 22, 1973 = No. 73-06602	Approved. A true copy of which Grant of Right of Way is incorporated by reference herein and appears in Minutes herein under Grant of Right of Way.
8. Received Deed from the Department of Redevelopment whereby they convey and warrant to the City of Fort Wayne for $109,751.80 two parcels of land in the Main Street Redevelopment Project R-52. Said property is commonly known as "Old Fort Park" and ground on which the new Central Fire Station is standing. Recorded March 22, 1973 - No. 73-06604.	Approved. A true copy of which Deed is incorporated by reference herein and appears in Minutes herein under Deed.
9. Received Quit-Claim Deed from the Department of Redevelopment whereby they convey and quit claim to the City of Fort Wayne a parcel of land in the Main Street Redevelopment Project R-52 commonly known as Freimann Park. Recorded March 22, 1973 - No. 73-06603	Approved. A true copy of which Quit-Claim Deed is incorporated by reference herein and appears in Minutes herein under Quit-Claim Deed.

Received Agreement and Deed from the Department of Redevelopment whereby they convey to the City of Fort Wayne for $21,903.50 Lots 17 and 18 plus the East 5 feet of Lot 16 in Hanna-Creighton Subdivision Redevelopment area. City Utilities substation was constructed on the property.
Recorded - March 20, 1973 No. 73-06531-Deed
No. 73-06501-Agreement

Approved. A true copy of which Agreement and Deed are incorporated by reference herein and appears in Minutes herein under Agreement and Deed.

AWARD OF CONTRACT

In the matter of Water Contract 72-W-2, Revisions to Filtration Plant on which bids were received February 28, 1973, the Board now deems it advisable to award the contract contingent upon elimination of Items 3, 18, 40, 43 and 45 as set out in bid documents. Said eliminations reduces contract price in the amount of $21,800.00

Award contract to Industrial Piping & Engineering Corporation in the amount of $262,501.00, subject to Councilmanic approval.

Ordered the McNamee, Porter and Seeley to prepare contract and necessary documents.

Received following bids from City Purchasing Agent covering proposed purchase of one (1) Industrial Tractor for mowing and one (1) Industrial Tractor with loader and backhoe for the Street Department:

	Item #1	Item #2
ALLEN COUNTY TRACTOR SALES ---	$3,321.31	$7,481.67
HEINE IMPLEMENT CO. ----------	$3,700.00	--------

Through the recommendation of the Purchasing Agent, the bid of Allen County Tractor Sales Inc. was accepted under Purchase Order No. 14543, dated March 30, 1973 for the amount of $10,802.98.

Ordered sent to the Common Council Tuesday, April 10, 1973 at 8 p.m.

Received Special Sewer Permit for Colony Heights, Inc., prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of Earth Construction & Engineering, Inc. to construct a sanitary sewer known as Parkview Church of Christ - Colony Heights Sewer Extension.

Approved and Special Sewer Permit issued.

Received Special Sewer Permit for Yost Companies, Inc., prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of Yost Companies, Inc., to construct a storm sewer known as Ardmore Plaza Storm Sewers.

Approved and Special Sewer Permit issued.

15. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of C. A. Lehman & Sons., Inc., with Guaranty Bond in the amount of $1500.00 signed by The Travelers Indemnity Company for Sanitary Sewer known as Off-Site Shell Oil Sanitary Sewer U. S. #30 By-pass and State Road #3.	Approved. Ordered acceptance letter written.
16. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Hitzfield Excavating Contractors, with Guaranty Bond in the amount of $7,250.00 signed by the American Insurance Company for Willow Oaks Sandpoint Road Sanitary Sewer.	Approved. Ordered acceptance letter written.

17. EMERGENCY RESOLUTION NO. 59-196-17

Emergency Repair - Lafayette Street Railroad Elevation

WHEREAS, the retaining walls holding the sidewalk on the Lafayette Street railroad elevation structure have deteriorated to a point of near collapse, and

WHEREAS, the engineering department has notified the railroad and the Indiana State Highway Commission of this hazard and requested immediate repair, and

WHEREAS, said Highway Commission has referred responsibility to the railroad, and

WHEREAS, said railroad has supplied this Board with a copy of an agreement dated May 5, 1925, between the City and the railroad, wherein the City agreed to assume responsibility for maintenance of all pavements, sidewalks, retaining walls, etc., except for the superstructure, which is the responsibility of the railroad, and

WHEREAS, Street Engineering solicited bids from four different contractors for said work which was forwarded to the Board of Works on March 13, 1973, and

WHEREAS, the Allen County Commissioners had refused to perform said maintenance from their accumulative bridge fund on the basis of the agreement between the City and the railroad,

NOW THEREFORE, be it resolved that the Board of Public Works on this date has authorized the repair of this under pass by Conrad Erection to eliminate this public hazard.

Meeting adjourned at 9:25 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, April 5, 1973

Department of Public Works Office of the Board Room 910, City-County Building Regular meeting held at 3:30 p.m.	
J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
HEARING ON CONFIRMATION Declaratory Resolution No. 1338-1973 for the vacation of Chandler Drive from the west property line of Autumn View Drive to its western terminus.	CONFIRMED. Ordered Street Engineering Department to prepare Assessment Roll of Benefits and Damages
Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, to barricade the middle of the alley behind 1920 Curdes, bounded by Kensington, Lawndale, Buena Vista and Curdes on Tuesday, April 3, 1973 at 8:30 a.m. to Wednesday, April 4, 1973 at :30 p.m. PURPOSE: Emergency gas leak.	Approved and permit was issued.
Permission was granted to Jess Miller Construction Company, Richard Clem, to park truck in front of Clem's Restaurant, 2006 South Calhoun Street for five days beginning Friday, April 6, 1973; Monday, April 9, 1973; Tuesday, April 10, 1973; Wednesday, April 11, 1973; Thursday, April 12, 1973; and Friday, April 13, 1973 from 8 a.m. to 5 p.m. (Truck will be moved each day at 5 p.m.). PURPOSE: Building canopy across building.	Approved and permit was issued.

Meeting adjourned at 3:45 p.m.

J. D. Boswell

Ronald L. Bonar

William G. Williams

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, April 9, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk.

J. D. Boswell, R. L. Bonar,
W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held on Wednesday, April 4, 1973 at 9 a.m. and Minutes of Meeting held on Thursday, April 5, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of F inance.

3. Received private sidewalk permit applications.

Approved and permits issued.

917-921 College St. -------- J. L. Thomas Const.
414 W. DeWald ------------- J. L. Thomas Const.
1128 W. Washington -------- J. L. Thomas Const.

4. Received driveway application.

Approved and permit issued.

Anderson Street - approx. 110'
east of Spy Run. -------- Silkworth Const. Co.

5. Received Pole Line Application.

Approved and permit issued.

Decatur Road - 336.5 feet north of center line of
Woodside Ave. on the east R/W line. --- Gen. Tel. Co.

6. Received street cut applications:

Approved and permits issued.

4410 Albert (bore - prkstrp) ---- Water Const.
6811 S. Anthony (bore - prkstrp) Water Const.
3409 Central (alley) -------------- NIPSCO
Clayton Ave. --------- Hipskind Asph. Corp.
1223 W. Coliseum (prkstrp) ------ Water Const.
910 Cottage (alley) ------------------ NIPSCO
Covington & Freeman - NE cor. -------- NIPSCO
2606 E. Drive (alley) ----------------- NIPSCO
1117 Hanna (alley) -------------------- NIPSCO

918 Hanna -------------------- NIPSCO
01 S. Hanna ------------------ NIPSCO
23 S. Harrison (alley) -------- NIPSCO
41 Hayden -------------------- NIPSCO
1 Hayden --------------------- NIPSCO
49 Hiltonia Dr. ---------------- NIPSCO
29 Hoagland (alley) ----------- NIPSCO
obson Rd. and Lake Ave. NW cor. -----
--- Hipskind Asphalt Corp.
3615 Hoagland ------------------ NIPSCO
4007 Hoagland (alley) ----------- NIPSCO
1119 Huffman ------------------- NIPSCO
L. Huntington Rd. -------------- NIPSCO
705 Ottawa Dr. (prkstrp) --- Water Const.
711 Ottawa Dr. (prkstrp) --- Water Const.
4811 Ottawa Dr. (prkstrp) --- Water Const.
323 Ottawa Dr. (prkstrp) --- Water Const.
15 St. Mary's (alley) -Ft. Wayne Sewer
461 Sand Point Rd.--------------- NIPSCO
2813 Smith -------------------- NIPSCO
314 E. Suttenfield (alley) ------- NIPSCO
4723 Tirol Pass (prkstrp) --- Water Const.
yler at 1902 W. Fourth St. ------ NIPSCO
718 Vermont --- Northside Plbg. Htg. Co.
04 E. Washington (alley) -------- NIPSCO

Received Invoice NO. 2 of Shambaugh & Son, Inc., for construction work on Interim Phosphorus Removal System for Services up to January 18, 1973 for the amount of $19,797.30	Approved. Ordered City Utilities to pay Invoice NO. 2 of Shambaugh & Son, Inc., amount of $19,797.30 from the Water Pollution Control Utility Fund.
Received Change Order NO. 1 in the amount of $210.00, for Maumee Const. Corporation, prepared by the Street Engineering Department, covering work performed under Resolution NO. 5615-1972 - sidewalk on south side of Vance Avenue, Coliseum Blvd., north to Inwood Drive.	Approved.
Received Invoice No. 2 of Beam, Longest & Neff, Inc., dated March 22, 1973, in the amount of $3,160.00 for Engineering Services for Improvements to Rudisill Boulevard from Indiana Avenue to Old Mill Road (Broadway).	Approved and ordered paid from the IAR & S Fund.
Permission was granted to Norfolk & Western R. R., Nelson Road, P.O. Box 1215, New Haven, Indiana, to barricade Lumbard Street beginning Monday, April 9, 1973 from 2:30 p.m. to 5 p.m. PURPOSE: Repair Broken Rail.	Approved and permit was granted.

11. Permission was granted to North Side Optimist Club, Paul Dunlap, R. R. #1 Grabill, Indiana to sell jelly beans in the downtown area on Wednesday, April 18, 1973 from 10:00 a.m. to 3:00 p.m. PURPOSE: For Boys Work Project.	Approved and permit issued.
12. Permission was granted to Richard Sauer, 1145 South Barr Street, to block the following streets: Madison at Lafayette Street Barr Street at Jefferson Street Barr Street at Lewis Street on Wednesday, April 18, 1973 from 10 a.m. to 10:30 a.m. PURPOSE: Children's Worship Service.	Approved and permit issued.
13. Received Partial Payment Estimate NO. 6 from Scheele Construction Company, Inc., in the amount of $58,512.00 for Storm Water Overflow Demonstration - Resolution NO. 260-1971.	Approved and ordered invoice of Scheele Construction Co., Inc., in the amount of $58,512.00 paid from the Sewer Relief Fund.
14. Received Special Sewer Agreements from Jewel Builders, Inc., as "Developer" and Woodview Manor Associates, as "Owner" for construction of a sanitary sewer extension for Woodview Manor in area of Hobson and Stellhorn Roads.	Approved. True copies of which agreements are incorporated by reference herein and appears in Minutes herein, under Agreement for Sewer Extension and Agreement respectively. Ordered sent to Common Council Tuesday, April 10, 1973 at 8 p.m.

Meeting adjourned at 9:20 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, April 12, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar,
W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meeting held Wednesday, April 4, 1973 at 9 a.m.; Thursday, April 5, 1973 at 3:30 p.m. and Monday, April 9, 1973 at 9 a.m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received driveway applications.

Approved and permits issued.

2536 Ellen --- Snouffer Goldsberry Homes, Inc.
Hessen Cassel Road across from
Frosch Drive --- Hagerman Const., Corp.
1655 Lakeview -------------------- D.A.B., Inc.
1705 Lakeview -------------------- D.A.B., Inc.
4022, 4018, 4024 and 4026
Sheraton Dr. ----------- Am. Const., Inc.
4125 and 4117 Sheraton -----
---- Snouffer-Goldsberry Homes, Inc.
1311, 1305, 1229, 1223, 1217
and 1204 Trick Ave.-----
---- Snouffer-Goldsberry Homes, Inc.

Received street cut applications.

Approved and permits issued.

1301 Ewing St. --------------------- NIPSCO
2414 Glenwood (alley) --------------- NIPSCO
2730 Glenwood (alley) -------------- NIPSCO
1325 Grant ------------------------- NIPSCO
S.E. cor. McKee & Queen ------------- NIPSCO
926 W. State Blvd (street) ---- Water Const.

Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1337-1973, for the vacation of Hystone Drive from the south property line of Ventura Lane to the north property line of Farwood Avenue.

Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered.

Hearing on Confirmation of Assessment Roll Thursday, April 26, 1973 at 3:30 p.m.

Notices to be served April 13, 1973.

6. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution NO. 1338-1973, for the vacation of Chandler Drive from the west property line of Autumn View Drive to its western terminus.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in amount of $1.00 each and the assessment of said benefits and damages are so ordered. Hearing on Confirmation of Assessment Roll Thursday, April 26, 1973 at 3:30 p.m. Notices to be served April 13, 1973.
7. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution NO. 5615-1972 for the construction of sidewalk on the south side of Vance Avenue from the east pavement line of Coliseum Boulevard North to the west curb line of Inwood Drive.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment, April 19 & 20, 1973. Hearing on Confirmation of Assessment Roll Thursday, May 3, 1973 at 3:30 p.m. Notices to be mailed April 20, 1973.
8. Received Contract, Guaranty and Liability Bonds of John Dehner, Inc. in the amount of $4,386.00, prepared by the Street Engineering Department, signed by United States Fidelity & Guaranty for Street Improvement Resolution No. 5527-1969 - Betty Avenue.	Approved.
9. Received Contract, Guaranty and Liability Bonds of Bercot, Inc. in the amount of $164,940.86, prepared by the Water Engineering Department, signed by Safeco Insurance Company of America for Water Improvement Resolution No. 1004-1972 all in Eastland Gardens Addition, Section "B".	Approved and ordered Contract, in the amount of $164,940.86, sent to Common Council Tuesday, April 24, 1973 at 8 p.m.
10. Received sidewalk Improvement Resolution NO. 5632-1973, final plans, estimate, specifications and property ownership list, prepared by the Street Engineering Department for construction of sidewalk on the west side of Calhoun Street from the north curb line of Tillman Road to the south curb line of Concord Lane except where sidewalk is now in place.	Approved and adopted. A true copy of which Resolution No. 5632-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 5632-1973. Advertise, Notice to Property Owners, April 20 & 27, 1973. Hearing on Confirmation on Thursday, May 10, 1973 at 3:30 p.m. Notices to be mailed April 27, 1973. Meeting adjourned at 9:40 a.m.

Boswell

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, April 12, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Continued from March 29, 1973
HEARING ON CONFIRMATION

Alley Improvement Resolution No. 5628-1973, for improving the alley between Kinnaird Avenue and Packard Avenue from the west property line of the first alley west of Beaver Avenue to the east property line of the second alley west of Beaver Avenue.

CONFIRMED.

Advertise, Notice to Contractors, April 17 and 24, 1973.

Received Bids Tuesday, May 1, 1973 at 9 a.m.

Ordered Street Engineering Department to prepare Bid Documents.

HEARING ON CONFIRMATION

Sidewalk Improvement Resolution No. 5629-1973, to construct sidewalk on the north side of Colerick Street from the east property line of the first alley east of Reed Street to the west curb line of Winter Street, except where sidewalk is now in place.

Continued to Thursday, April 26, 1973 at 3:30 p.m.

Time up to receive remonstrance Monday, April 23, 1973 at 5 p.m.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Street Improvement Resolution No. 5604-1971, to improve Dodge Avenue from the west property line of Ellwood Road to the west property line of Reed Road.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare the Final Assessment Roll.

4.	HEARING ON CONFIRMATION OF ASSESSMENT ROLL Sewer Easement Resolution No. 107-1972 MODIFIED, for the condemnation of a temporary and permanent sewer easement in the area of Homewood Addition, (Sewer 848-1972).	CONFIRMED and ordered sent to the Department of Finance.
5.	Received Special Sewer Permit for Eugene Shambaugh, prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of Eugene Shambaugh to construct a sanitary sewer known as Sanitary Sewer for lots 137 and 138 - Elzey's 4th Addition.	Approved and Special Sewer Permit issued.
6.	Received Special Sewer Permit for Tara Commercial Property, prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of Hipskind Asphalt Corporation to construct a sanitary sewer known as Tara Convenience Center.	Approved and Special Sewer Permit issued.
7.	Received Special Sewer Permit for North Medical, Inc., prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of Hipskind Asphalt Corporation to construct a storm sewer known as Hobson Road - Lake Avenue Storm Sewer.	Approved and Special Sewer Permit issued subject to changes requested by the Street Engineering Department. (Copy attached to permit).
8.	Received the Plat, Protective Restrictions and etc., of Seneca Hills, SEction II submitted and approved by the City Plan Commission.	Approved.
9.	Re: Sewer Resolution No. 214-1970 St. Mary's Interceptor Sewer Received Temporary Waiver of Reimbursement whereby the Fort Wayne Community School Building Corporation, "Wayne High School" and the City of Fort Wayne waive their rights to total reimbursement when the first tap is made on properties owned by Francis H. and K. D. Ray and Karl I. and M. E. Klinger, Jr., all in connection with St. Mary's Interceptor Sewer 214-1970.	Approved and filed with the Resolution.

Received Amended Plat of Countryside Estates, Section II approved by the City Plan Commission.	Approved.
Received Special Sewer Permit for Jerry Doran, prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of C. A. Lehman & Sons, Inc., to construct a storm sewer known as Proposed Storm Sewer Extension for Jerry Doran Property. (Brooklyn Avenue).	Approved and Special Sewer Permit issued.
Received Service Contract Agreement between Zeis Security Systems, Inc. and the City of Fort Wayne, providing for Protective Patrol Service at the City's vehicle storage lot on Dwenger Avenue at a cost of $85.00 per month. Contract provides that after one year, contract may be terminated by giving at least 30-day written notice delivered personally or sent by registered mail.	Approved.
Received Special Storm Water Retention Pond Agreement between Stonehaven, Inc., rex Corporation as "Developer" and the City of Fort Wayne whereby the Developer agrees to construct and maintain a storm water retention pond in connection with construction of the Imperial House Motel on Washington Center Road, east of State Road No. 3.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreements.
Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, % Lloyd Lindlesparger, to close the alley between odge and State, Forest Park Boulevard, and Florida for one week beginning Wednesday, April 11, 1973 at 10:00 a.m. until Friday, April 13, 1973 at 4:30 p.m. PURPOSE: Gas Leak.	Approved and permit was issued.

15. Permission was granted to Irmscher & Son, Inc. to close the alley in the 900 block of West State Street between West State and Clayton Streets for two weeks beginning Wednesday, April 11, 1973 at 10:00 a.m.
PURPOSE: Connect Sewer.

Approved and permit issued.

16. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, to barricade the alley between Florida and West Drive and Curdes and Dodge Avenue from Friday, April 13, 1973 at 10:00 a.m. to Tuesday, April 17, 1973 at 4:30 p.m.
PURPOSE: Emergency Gas Leak on Main.

Approved and permit issued.

17. Pursuant to invoice No. 7734 in amount of $11,217.24 from McNamee, Porter & Seeley, Consulting Engineers, for Hurshtown Reservoir Repair on which the Board authorized a partial payment in amount of $9,716.24 on December 19, 1972; it is now deemed advisable to pay the balance due, as computed by the Board, in amount of $1,204.75.

Approved and ordered $1,204.75 paid to McNamee, Porter & Seeley from the City Utilities Water Utility Fund. (In Full).
(71-W-1.)

Meeting adjourned at 4:10 p.m.

L. D. Braswell
Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:
Edna I. Smith
Edna I. Smith, Clerk

Monday, April 16, 1973

artment of Public Works
ice of the Board
910, City-County Building
lar meeting held at 9 a.m.

D. Boswell, R. L. Bonar, W. G. Williams
I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

eceived purchase orders from the Purchasing ent of City Utilities.

Approved.

eceived payment vouchers from the Auditor f City Utilities.

Approved and ordered sent to the Department of Finance.

eceived private sidewalk applications.

Approved and permits issued.

209 Butler --------------------S & O Const.
3600 Paulding Rd. -------   Ben Bunt, Inc.
922 Wells St. ------ Wagner Insurance Co.

eceived Pole Line Application.

Approved and permit issued.

of 4021 Robinwood Dr. --- City Light

eceived street cut applications.

Approved and permits issued.

711 S. Anthony (bore - prkstrp) --Water Const.
thony & Pontiac SW cor. ----------- NIPSCO
2614 Bowser ------------------------ NIPSCO
2001 Brooklyn ---------- C. A. Lehman & Sons
3433 Casselwood Dr. (prkstrp) --- Water Const.
rest S/Crescent Ave. ---------- Light Const.
2214 Forest Pk (alley) ----------- W.P.C. Maint.
958 W. Fourth ------------------ NIPSCO
28 Fox ------------------------- NIPSCO
& St. Mary's SW cor. ------- NIPSCO
Illsley -------------------- Light Const.
Lakeview Dr. (bore - prkstrp) ----- Water Const.
655 Lakeview Dr. (bore - prkstrp) ----- Water Const.
3410 Northrop ------------------ NIPSCO
Trail & Liberty ------------- NIPSCO
33 Regis Dr. (prkstrp) --------- Water Const.
edway Dr. ------------- John Dehner, Inc.
nce & Anthony NW cor. -------------- NIPSCO
111 E. Washington (alley) ---------- NIPSCO
E. Wayne (alley) ----------------- NIPSCO
104 E. Wayne (alley) ----------------- NIPSCO

6. Received Contract, Guaranty and Liability Bonds of John Dehner, Inc. in the amount of $49,506.60, prepared by the Water Pollution Control Engineering Department, signed by United States Fidelity & Guaranty Company for Local Sewer Improvement Resolution NO. 848-1972 MODIFIED, in Homewood Addition.	Approved.
7. Received a request from Mizpah Shrine, 407 W. Berry Street, (Maurice Johnson) for permission to hold a parade on Saturday, May 19, 1973 from 2:00 p.m. to 2:40 p.m. Starting point - Wayne and Ewing Streets: East on Wayne Street to Calhoun Street, North to Main Street, West to Ewing Street, thence South to Shrine Temple. PURPOSE: Shriners Parade.	Approved and permit issued.
8. Received Special Sewer Permit for Peoples' Trust Bank, prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of Hipskind Asphalt Corporation to construct a storm sewer known as Peoples' Trust Bank - West State Off-site Storm Sewer.	Approved and Special Sewer Permit issued.
9. Permission was granted to First Presbyterian Church, % Rev. Caschen, 300 W. Wayne Street, to barricade Wayne Street between Ewing and Webster Streets on Sunday, April 15, 1973 from 9:30 a.m. to 12:30 p.m. PURPOSE: Church Procession.	Approved and permit was issued.

Meeting adjourned at 9:20 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I Smith

Edna I. Smith, Clerk

Wednesday, April 18, 1973

artment of Public Works
ice of the Board
910, City-County Building
lar meeting held at 9 a.m.

D. Boswell, R. L. Bonar, W. G. Williams a I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
eceived Minutes of Meeting held Thursday, pril 12, 1973 at 9 a.m.; Thursday, April 12, 1973 t 3:30 p.m.; and Monday, April 16, 1973 at m.	
eceived purchase orders from the Purchasing gent of City Utilities.	Approved.
eceived payment vouchers from the Auditor City Utilities.	Approved and ordered sent to the Department of Finance.
eceived private sidewalk applications.	Approved and permits issued.

4330 Buell Dr. ------------- Emil Holliday
09 California ------ Arthur Essex, Sr.
327 Indian Hills ----------- Emil Holliday
335 Indian Hills ----------- Emil Holliday
001 Indian Hills ----------- Emil Holliday
3434 Pittsburg ------------- Emil Holliday
1652 High St. --------------- Jack Boling
370 New Haven Ave. --------- Jet Contracting

eceived driveway applications.	Approved and permits issued.

9111, 9117, 9123, 9201, 9203, 9207, 9215, 9221,
9225, 9231, 9236, 9230, 9224, 9218, 9212, 9206,
24 and 9106 Burr Oak Dr. ---Shirmeyer Assoc., Inc.

26 S. Calhoun ----------- Wayne Asphalt, Inc.
3626 S. Hanna ------------- Kenneth Springer
cor. Hobson Rd. at Lake Ave. --Hipskind Asp. Corp.
06 Lake Ave. ------------- Larry Kurtz Const.
110 Victoria Dr. --------- Wm. D. Wismer

eceived street cut applications.	Approved and permits issued.

23-5841 Bunt Dr. (bore - prkstrp) --- Water Const.
843-5861 Bunt Dr. " " --- Water Const.
01-5921 Bunt Dr. " " --- Water Const.
43-5961 Bunt Dr. " " --- Water Const.
22- 5941 Bunt Dr. " " --- Water Const.

3527 Coliseum Blvd. W. (prkstrp) -- Water Const.
4635 Innsbruck Dr. (prkstrp) ----- Water Const.
4537 Lake Ave. (prkstrp) ---------- Water Const.
1922 Lakeview Dr. (prkstrp) -------- Water Const.
4824 Ottawa Dr. (bore - prkstrp) --- Water Const.
7114 Selkirk Dr. (prkstrp) --------- Water Const.
7122 Selkirk Dr. (prkstrp) --------- Water Const.
7204 Selkirk Dr. (parkstrp) -------- Water Const.
7212 Selkirk Dr. (prkstrp) -------- Water Const.
4615 Tamarack Dr. (parkstrp) ------- Water Const.

6. Received Final Assessment Roll prepared by the Street Engineering Department for Street Improvement Resolution No. 5604-1971 for improving Dodge Avenue from the west property line of Ellwood Road to the west property line of Reed Road.

CONFIRMED and ordered sent to the Department of Finance.

7. SIDEWALK IMPROVEMENT RESOLUTION NO. 5631-1973
HOBSON ROAD AND VANCE AVENUE

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed necessary to construct sidewalk on both sides of Hobson Road from the south line of U. S. 30 Bypass south to the north line of State Street, and on both sides of Vance Avenue from Hobson Road east to Sherborne Boulevard, except where sidewalk is now in place, to a width of five feet. All in accordance with the profile, detail drawings and specifications on file in the Office of the Department of Public Works of said City; and such improvement is now ordered.

WHEREAS, the Board of Public Works, in cooperation with the Federal Highway Administration, is planning major improvements on the above described sections of Hobson Road and Vance Avenue, including new pavements, curbings, storm drainage and street lights, and

WHEREAS, the cost of said improvements will be shared 50% with City funds and 50% from Federal funds, and

WHEREAS, the Board has received a petition requesting that sidewalks be included in said major improvements of Hobson Road and Vance Avenue, with the undersatnding the abutting property owners will be assessed the 50% City share of the cost thereof, and

WHEREAS, the Board of Public Works has caused to be included in said project sidewalks as set forth above which will be eligible for 50% Federal participation.

Approved and adopted. A true copy of which Resolution No. 5631-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5631-1973.

Advertise, Notice to Property Owners, April 27, 1973 and May 4, 1973.

Hearing on Confirmation Thursday, May 17, 1973 at 3:30 p.m.

Notices to be mailed May 4, 1973.

NOW THEREFORE, be it resolved that the ard of Public Works has contracted with the iana State Highway Commission and the Federal ghway Administration for the construction sidewalks as part of this major improvement ogram known as Hobson Road - M-7384(1); Vance Avenue - T-6002(22) and that 50% of the cost ereof (or that portion representing the local are) shall be assessed by this Resolution to e abutting property owners, all according to the ethod and manner provided for in an Act of the eneral Assembly of the State of Indiana, entitled, 'n Act Concerning Municipal Corporation," approved arch 6, 1905, and the provisions of all Acts endatory thereto and supplemental thereof.

eceived the following Invitational ids from the Purchasing Agent, covering e proposed delivery of two (2) Four Wheel ype Sweepers for the Street Department:

ids Received:

IES EQUIPMENT CO., INC. ------------	$42,750.00
EEDS EQUIPMENT CO. -----------------	$33,946.00
STOCKBERGER MACHINERY CO. -----------	$38,000.00

Through the recommendation of the Purchasing Agent, the bid of Ries Equipment Company, Inc., was accepted under Purchase Order No. 14720, dated April 5, 1973, for the amount of $42,750.00.

Ordered sent to the Common Council Tuesday, April 24, 1973 at 8 p.m.

eceived Water Contract No. 7302, prepared nd approved by the Water Engineer, between the Fort Wayne Water Utility and Colony Heights, Inc.

Earth Construction and Engineering, Inc. is the ontractor. The total cost of the Main is $12,168.00, set out as follows:

aid to contractor by contributor -----	$ 5,475.60
tility - engineering expense ---------	535.00
aid to contractor by Utility for oversizing ------------------------	$ 6,157.40

Approved.

Ordered sent to the Common Council Tuesday, April 24, 1973 at 8 p.m.

eceived Second Amendment to Protective Covenants, estrictions and Limitations of Arlington Park, Section I, submitted by City Plan Commission.

Approved.

eceived First Amendment to Protective Covenants, estrictions and Limitations of Arlington Park, Section II, submitted by City Plan Commission.

Approved.

12. Received First Amendment to Protective Covenants, Restrictions and Limitations of Arlington Park, Section III, submitted by City Plan Commission.

Approved.

13. Received the following Invitational Bids from the Purchasing Agent, covering 100,000 Ft. Triplex Service Wire for Light Construction Department:

GRAYBAR ELEC. CO. ---------- $16,048.00

GENERAL ELECTRIC SUPPLY CO.- $16,100.00

WESTINGHOUSE SUPPLY CO.----- $16,100.00

Through the recommendation of the Purchasing Agent, the bid of Graybar Electric Company was accepted under Purchase Order No. 0192, dated April 11, 1973, for the amount of $16,048.00.

Ordered sent to the Common Council Tuesday, April 24, 1973 at 8 p.m.

14. Received Agreement to Convey Real Estate from the County Commissioners whereby they agree to convey to the City of Fort Wayne for the Housing Authority the following property:

Lot No. 330 Hanna's Addition to the City of Fort Wayne, Allen County, Indiana.

Said conveyance subject to Councilmanic approval.

Approved and ordered sent to Common Council Tuesday, April 24, 1973 at 8 p.m.

Meeting adjourned at 9:20 a.m.

F. D. Boswell

Ronald K Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, April 23, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received Minutes of Meeting held on Wednesday, April 18, 1973 at 9 a.m.	
Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received private sidewalk applications. 2110 Brooklyn --------------- R. B. Ebnit 1225 Huestis -------- H. L. Thomas Const. Co.	Approved and permits issued.
Received Pole Line Applications. 121 Bowser Ave. -------------- City Light 2926 and 2930 Reed St. --------- City Light	Approved and permits issued.
Received driveway applications. 20 W. Oakdale /Dayton Ave.- F.V. Tibbitts Const. 5220 Reed St. -------------- Molargik Const. Co. 5115 South Wayne St. ------- J. L. Thomas Wallace St. bet. Calhoun and Clinton Sts. --- Brooks Const. Co.	Approved and permits issued.
Received street cut applications. Baker bet. Harrison & Calhoun -------------- NIPSCO Barr & Superior NE cor. ----------------- NIPSCO 35 Bear Paw Dr. (prkstp) ---------- Water Const. 4407 Coldwater (prkstrp) ------------ Water Const. 333 Dial Dr. (prkstrp) ------------- Water Const. 21 Franklin Ave. ----------------- NIPSCO 7219 Ideal ------------------------ NIPSCO 508 Naquaga Dr. (bore - prkstrp)---- Water Const. 4632 Newago Rd. --------------------- NIPSCO 6930 Selkirk Dr. (prkstrp) ---------- Water Const.	Approved and permits issued.

7012 Selkirk Dr. (prkstrp) -- Water Const.
7020 Selkirk Dr. (prkstrp) -- Water Const.
7028 Selkirk Dr. (prkstrp) -- Water Const.
7106 Selkirk Dr. (prkstrp) -- Water Const.

7. Received report from Superintendent of City Utilities stating the City Utilities Contribution in lieu of taxes to the Civil-City for January, February and March of 1973 was $117,500.00.	Approved.
8. Received invoice of North Eastern Enterprises, Inc., in the amount of $4,961.25, on Water Contract No. 7217, Walden Addition, for reimbursement for oversizing.	Approved and ordered the City Utilities to pay invoice, in the amount of $4,961.25, from the Water Utility Fund as per Water Contract.
9. Received invoice of North Eastern Enterprises, Inc., in the amount of $4,912.50, on Water Contract No. 7216, Walden Addition, for reimbursement for oversizing.	Approved and ordered the City Utilities to pay invoice, in the amount of $4,912.50, from the Water Utility Fund as per Water Contract.
10. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, % Vern Bradley, to close the alley running East and West between Abbott and Queen Streets beginning Thursday, April 19, 1973 from 8:00 a.m. to Monday, April 23, 1973 at 5:00 p.m. PURPOSE: Retiring Mains.	Approved and permission was granted.
11. Permission was granted to Spatt Plumbing and Heating, 128 E. Creighton Avenue, to close the alley behind 1631 N. Harrison Blvd. on Thursday, April 19, 1973 at 2:00 p.m. to Monday, April 23, 1973 at 4:30 p.m. PURPOSE: Emergency Sewer Repair.	Approved and permission was granted.

Meeting adjourned at 9:15 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Tuesday, April 24, 1973

artment of Public Works
ce of the Board
910, City-County Building
lar meeting held at 9 a.m.

Boswell, R. L. Bonar, W. G. Williams
I. Smith, Clerk

ceived purchase orders from the Purchasing ent of City Utilities.

Approved.

ceived payment vouchers from the Auditor City Utilities.

Approved and ordered sent to the Department of Finance.

EIVED INVITATIONAL BIDS:

ter Contract No. 7303 for the relocation Water Main U. S. 30 By-Pass. (in nnection with State Project).

	BASE	ALTERNATE
COT, INC. -----------	$20,546.00	$10,546.50
SKIND ASPHALT CORP. ---	$26,805.00	$17,505.00

AWARD CONTRACT TO Bercot, Inc., for the amount of $20,546.00 subject to Councilmanic approval. Of the above amount $10,546.50 will be paid by the State Highway.

ceived petition for installation of water serve Orlando Drive from Rodenbeck Drive Sharon Drive.

Ordered Water Engineering Department to prepare plans and all details necessary for the improvement.

Board Order No. 93-1973 issued.

ceived petition for installation of water serve Ludwig Park Drive from Rodenbeck Drive Sharon Drive.

Ordered Water Engineering Department to prepare plans and all details necessary for the improvement.

Board Order No. 94-1973 issued.

6. Received request from Martin, Inc., Box 522, for permission to barricade Dewald Street between Warsaw and Hanna Streets beginning Tuesday, April 24, 1973 at 8:00 a.m. to Tuesday, May 1, 1973 at 5:00 p.m.
PURPOSE: Remove Steeple - St. Peter's Church.

Approved and permit issued.

7. Received request from Byroade Brothers, 4715 Wayne Trace, for permission to barricade the alley beside 813 Broadway beginning Tuesday, April 24, 1973 from 12:00 Noon to 5:00 p.m.
PURPOSE: Replace Aluminum siding.

Approved and permit issued.

8. Received a request from G. L. Koomler, 1927 Legoma Drive, for permission to block Schick Street at Washington, also to block the far left land (North Lane) of Maumee Street beginning at Schick, leaving enough room for the cars to turn off from Schick into the north lane of Maumee to the entrance of Indiana Institute of Technology beginning Wednesday, April 25, 1973 from 8:00 a.m. to 12:00 Noon.
PURPOSE: Plymouth Trouble Shooting Contest.

Approved and permit issued.

9. Received a request from Philip C. Swinford, 729 W. Wildwood Avenue for permission to hold a parade on Sunday, April 29, 1973 from 12:00 Noon to 5:00 p.m. Ride-a Bike starts at St. Francis College, Leesburg Road parking lot, then as follows: Leesburg Road, Main Street, Greenwood Avenue to Swinney Park, around Swinney Park to Greenwood to Main Street to Osage Street, High Street, St. Mary's, Irene Street, Purdue Street, North Highlands to Trinity Blvd., Tyler Avenue, State Street, Olladale Avenue, Spring Street, Tyler St., to High St. to Runnion Ave. to Emerson and Poinsette to Archer to Jessie on Melrose Ave., to Cherokee Road to Tyler to Spring to Leesburg Road to finish at St. Francis College, Leesburg Road parking lot.
PURPOSE: Ride-A-Bike Day.

Approved and permit issued.

10. Received a request from David H. Crumb, THREE RIVERS FESTIVAL, 311 Central Bldg., for permission to hold a parade on Jul.7, 1973, Saturday. Starting point Baker at Calhoun Streets and termination at Baker at Harrison Street from 11:00 a.m. to 2:00 p.m. Marching units will form on either side of Calhoun Street south from Baker Street. Floats will feed in at Baker and Calhoun Streets. Other streets to be used are Murray, Wallace, Masterson, Williams, Butler on either side of Calhoun and will be used to form march units. Parade will go north on Calhoun From Baker to Columbia (Landing). There shall be no deviation from the listed route, date and times.
PURPOSE: Three Rivers Festival Opening.

Approved and permit issued.

eived a request from Young World Dev., Mrs. Jones, 428 E. Berry Street, for permission old a parade - Walk for Development on turday, May 5, 1973 from 8:00 a.m. to :00 p.m. Detailed specific route to be eled: Franke Park to Lawton Park to nney Park to Foster Park, Brewer Park, Millen Park to Weisser Park to Memorial rk to Lions Park and to Franke Park - proximate number of persons: 3,000 to 000. RPOSE: Walk for Development.	Approved and permit issued.
eceived Lease Agreement between the ard of Park Commissioners as Lessee and e Board of Public Works as Lessor, which rovides for leasing to the Park Board hree City park areas known as: City tilities Park, Reservoir Park and Sherman ark.	Approved. A true copy of which Lease Agreement is incorporated by reference herein and appears in Minutes herein, under Lease Agreement No. 59-217-12.
eceived Plat, Protective Restrictions, venants and Easements, etc., for Countryside states, Section IV, submitted and approved the City Plan Commission.	Approved.
eceived Agreement between Butler, Fairman d Seufert, Inc. and the City of Fort Wayne r Engineering Services covering improvements Tillman Road from Anthony Boulevard to essen Cassel Road.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement No. 59-217-14.
eceived a petition for the paving of ler Avenue from the east property line of erman Street to a point 450 feet east to et the existing pavement, to a width of 27 feet cluding curbs with 6" plain concrete.	Ordered the City Engineer to prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.

Meeting adjourned at 9:35 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

EST:

ina L. Smith

I. Smith, Clerk

Thursday, April 26, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

1.	HEARING ON CONFIRMATION OF ASSESSMENT ROLL Declaratory Resolution NO. 1337-1973, for the vacation of Hystone Drive from the south property line of Ventura Lane to the north property line of Farwood Avenue.	CONFIRMED. Ordered sent to the Department of Finance.
2.	HEARING ON CONFIRMATION OF ASSESSMENT ROLL Declaratory Resolution No. 1338-1973, for the vacation of Chandler Drive from the west property line of Autumn View Drive to its western terminus.	CONFIRMED. Ordered sent to the Department of Finance.
3.	HEARING ON CONFIRMATION Sidewalk Improvement Resolution No. 5630-1973 for the construction of sidewalk on the east side of Calhoun Street from the north curb line of Tillman Road to the south curb line of Dunbar Lane, except where sidewalk is now in place.	Continued to Thursday, May 10, 1973 at 3:30 p.m. Time up to remonstrate Monday, May 7, 1973 at 5 p.m.

Continued from April 12, 1973 HEARING ON CONFIRMATION Sidewalk Improvement Resolution NO. 629-1973 for the construction of sidewalk on the north side of Colerick Street from the east property line of the first alley east of Reed Street to the west curb line of Winter Street, except where sidewalk is now in place.	HELD IN ABEYANCE.
Received Contract and Performance Bond of Industrial Piping & Engineering Corporation, signed by the St. Paul Fire & Marine Insurance Company, in the amount of $262,501.00, prepared by McNamee, Porter and Seeley for Water Contract No. 72-W-2 - Revisions to Existing Three Rivers Filtration Plant.	Approved and sent to Common Council Tuesday, May 8, 1973 at 8 p.m.
Received driveway application. 3500 Broadway ---------- Brooks Const. Co.	Approved and permit issued.
Received Plat of Tamarack Addition, Section "F", submitted and approved by the City Plan Commission.	Approved.
Received Special Sewer Permit for Justus Enterprises prepared and approved by the Water Pollution Control Engineer, and Performance Bond of Earth Construction & Engineering, Inc., to construct a storm sewer known as South Towne Square Storm Sewer.	Approved and Special Sewer Permit issued.
Received Special Sewer Permit for Justus Enterprises prepared and approved by the Water Pollution Control Engineer, and Performance Bond of Earth Construction & Engineering, Inc., to construction of a sanitary sewer known as South Towne Square Sanitary Sewer.	Approved and Special Sewer Permit issued.

Adjourned at 4:20 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST: Edna I Smith

Edna I. Smith, Clerk

Monday, April 30, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk.

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meetings held Wednesday, April 18, 1973 at 9 a.m.; Monday, April 23, 1973 at 9 a.m.; Tuesday, April 24, 1973 at 9.a.m.; and Thursday, April 26, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

1628 Boone - curb-walk ---	J.L. Thomas Const. Co.
3900 Raymond St. ---------	Bob Houser
3102 River Forest ---------	Molargik Const. Co.
1817 St. Clair ------------	Henry Gaines
1431 Winter ---------------	Henry Gaines

4. Received Driveway applications.

Approved and permits issued.

1819 Alliger ---------------	Arthur Essex
1628 & 1630 Sprunger -------	John Modezjewski

5. Received street cut applications.

Approved and permits issued.

3201 Alexander (alley) -------------	NIPSCO
6107 Blue Spruce --------------------	NIPSCO
606 S. Calhoun (prkstrp) ---------	Water Const.
3202 Debeney Dr. (prkstrp) ------	Water Const.
1618 Inwood Dr. (bore -prkstrp) --	Water Const.
6309 Bittersweet - Larch Lane -------	NIPSCO
Lewis & Harrison (sdw.) ---------	Water Const.
Ohio & Maumee (street) ----------	Water Const.
Pettit & S. Anthony -------------	NIPSCO
Sandpoint & side streets ---------	NIPSCO
1401 W. Washington (bore - prkstrp)	Water Const.

Received a petition for the paving of Reynolds Street from the east property line of Edsall Avenue to the west property line of Coliseum Boulevard South.

Ordered the City Engineer to prepare preliminary plans, estimate, property ownership list and show the percentage of property owners petitioning as well as percentage eligible to remonstrate.

Received a petition for the construction of sidewalks on Reynolds Street from the east property line of Edsall Avenue to the west property line of Coliseum Boulevard south.

Ordered the City Engineer to prepare preliminary plans, estimate, property ownership list and show the percentage of property owners petitioning as well as percentage eligible to remonstrate.

Received a petition for the construction of sidewalks on the North and South side of Dalewood Drive from Chancellor Drive to Elwood Drive.

Ordered the City Engineer to prepare preliminary plans, estimate, property ownership list and show the percentage of property owners petitioning as well as percentage eligible to remonstrate.

Meeting adjourned at 9:10 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I Smith

Edna I. Smith, Clerk

Tuesday, May 1, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk application. 1628 - 30 Sprunger ------- Jet Construction	Approved and permit issued.
4. Received driveway application. 2110 Brooklyn Avenue - Richard Ebnit	Approved and permit issued.
5. Received street cut applications. Greenlawn & St. Marys ----- Water Maint. 4037 Hampton Ave. (prkstrp) Water Const. N. Harrison 1631 - (alley) - Spatt Plumb. Louisedale Dr. / Sherman Blvd. ----- ----- Ind. & Mich. Elec. Co. Pasadena & Westover ----- Water Maint.	Approved and permit issued.
6. RECEIVE BIDS: Alley Improvement Resolution NO. 5628-1973 for the improvement of alley between Kinnaird Avenue and Packard Avenue from the west property line of the first alley west of Beaver Avenue to the east property line of the second alley west of Beaver Avenue. A GROSJEAN & SON --------------- $7,687.00	Referred to the Street Engineering Department for tabulation and report. Award Contract Thursday, May 3, 1973 at 9 a.m.

Received a petition for the vacation of the utility easement across the east 7 feet of the west 14 feet, except the south 7 feet, of Lot No. 4, Casselwood Terrace; also for the vacation of the utility easement across the east 7 feet of the west 14 feet, except the north 7 feet and except the south 40 feet, of Lot No. 5, Casselwood Terrace.	Ordered the Street Engineer to prepare final plans, property ownership list and Declaratory Resolution in accordance with the Acts of the General Assembly of 1905 as amended.
Received invoice No. 17 of Henry B. Steeg & Associates, Inc., for engineering services on Storm Water Demonstration Grant Project EPA No. 11020 GYU as per contract of June 2, 1971 for the amount of $576.81.	Approved. Ordered City Utilities to pay invoice No. 17 of Henry B. Steeg & Associates, Inc., for $576.81 from the Water Pollution Control Utility Fund.
Received a request from Northern Indiana Public Service, 1501 Hale Avenue, for permission to barricade Vance Avenue between Nordholme and Sherborne Avenues beginning Tuesday, May 1, 1973 at 8:00 a.m. to Thursday, May 3, 1973 at 3:30 p.m. PURPOSE: Renew gas service.	Approved and permit issued.
Received Partial Payment Estimate No. 14 (FINAL) for retainage on invoice No. 13 in the amount of $3,000 to Michael Kinder & Sons, Inc., covering general construction of Central Fire Station No. 1.	Approved and ordered Retainage amount of $3,000 paid to Michael Kinder & Sons, Inc. from the Fire Station Fund.
Received Partial Payment Estimate No. 5, in the amount of $31,178.86, for Bowen Engineering Corporation, covering work performed from March 1 to April 6, 1973 on Sewer Resolution No. 279-1972, Storm Water Treatment Facility, Section V, EPA 11020 GYU.	Approved. Ordered City Utilities to pay $31,178.86 to Bowen Engineering Corporation from the Water Pollution Control Utility Fund. Also, pay to Bowen Engineering Corporation Escrow Account at Indiana Bank & Trust Company retainage in the amount of $3,464.32 from the Water Pollution Control Utility Fund.

Meeting adjourned at 9:10 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, May 3, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received Minutes of Meetings held Monday, April 30, 1973 at 9 a.m.; also, Tuesday, May 1, 1973 at 9 a.m.	
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received driveway applications.	Approved and permits issued.
1825 McKinnie Ave. -------- Maumee Const. Corp.	
1901-1911 Production Rd.--- Graber & Graber Washington Center Rd. - near Sharon Drive ------- Fred J. Riette & Son	→ Returned to Water Pollution Control Engr. Dept. for drainage approval.
4. Received pole line application.	Approved and permit issued.
Maumee Avenue East from Anthony to Washington on north side of street. Also Washington from Anthony East to old Maumee.	
5. Received street cut applications.	Approved and permits issued.
2937 Alexander (alley) -------------------NIPSCO Barr & DeWald Sts. -------------------- NIPSCO 1903 Bear Paw Dr. (prkstrp) ------ Water Const. 1907 Bear Paw Dr. ---------------- Water Const. 1829 Bear Paw Dr. (prkstrp) ------ Water Const. 1936 Bear Paw Drive (bore - parkstrip) --------- Water Const. 835 Hamilton -------------------------- NIPSCO 2508 Lillie (alley) ------------------- NIPSCO 2321 Manford (alley) E/Abbott ---------- NIPSCO 3713 Smith ---------------------------- NIPSCO	

Received Tabulation and Recommendation Prepared by the Street Engineering Department for Alley Improvement Resolution 5628-1973 for the improvement of alley between Kinnaird Avenue and Packard Avenue from the west property line of the first alley east of Beaver Avenue to the east property line of the second alley west of Beaver Avenue.

AWARD CONTRACT to A. Grosjean & Son at and for their Bid, in the amount of $7687.00, subject to Councilmanic approval.

Received Quit Claim Deed from Mary Ann Beauty Salon, Inc. (Beulah M. Collman, Pres. - Robert rtin, Sec.) whereby they release and quit claim to the City of Fort Wayne, Indiana, the following described real estate: in Allen County, Indiana.

The east 27 feet of Lot Numbered twenty-five (25) and the west 12½ feet of Lot Numbered twenty-six (26), all in Chutes Homestead Addition to the City of Fort Wayne, Indiana, according to the recorded Plat thereof, commonly known as 1132 mit Street.

Said Quit Claim Deed recorded April 19, 1973, item No. 73 - 09049.

This Quit Claim Deed from Mary Ann Beauty Salon, Inc. was made a matter of record.

A true copy of which Deed is incorporated by reference herein and appears in Minutes herein under Quit Claim Deed.

Permission was requested by Essex International, Inc., 1601 Wall Street, to allow employees to park along Phenie, Swinney, and Stophlet on Tuesday, May 2, 1973 from 7:00 a.m. to 5:00 p.m. PURPOSE: Paving of Employees' Parking Lot.

Approved and permit was issued.

Meeting adjourned at 9:15 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Smith

I. Smith, Clerk

Thursday, May 3, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
1. Continued from March 29, 1973 HEARING ON CONFIRMATION Sewer Improvement Resolution No. 842-1972, for Edsall Avenue Sanitary Sewer from Dwenger Avenue South to Maumee Avenue all in Lincoln Highway Park Addition.	Continued to Thursday, June 28, 1973 at 3:30 p.m.
2. Continued from March 29, 1973 HEARING ON CONFIRMATION Sewer Easement Resolution NO. 109-1972, Edsall Avenue from Dwenger Avenue south to Maumee Avenue. (Sewer No. 842-1972).	Continued to Thursday, June 28, 1973 at 3:30 p.m.
3. HEARING ON CONFIRMATION OF ASSESSMENT ROLL: Sidewalk Improvement Resolution NO. 5615-1972, for the construction of sidewalk on the south side of Vance Avenue from the east pavement of Coliseum Blvd. North to the west curb line of Inwood Drive.	The Board determined the benefits as indicated. Ordered the Street Engineering Department to prepare the Final Assessment Roll.

eived plans and estimate for curb, idewalk and street repair on the west e of Lafayette Street from the north roperty line of Main Street to the north perty line of vacated Columbia Street. y PAID)

Approved.

Advertise, Notice to Contractors, May 11 and 18, 1973.

Receive Bids Tuesday, May 22, 1973 at 9 a.m.

Ordered the Street Engineering Department to prepare Bid Documents.

eceived inspection report, from the ater Pollution Control Engineering epartment and Completion Affidavit of ickhoff Excavating with Guaranty Bond n the amount of $3,000 signed by the idelity & Deposit of Maryland, for rogress Road. (B.O. 7, 1973)

Approved.

Ordered acceptance letter written.

ursuant to Emergency Resolution No. 9-196-17 for Repairs to Lafayette treet Railroad Elevation, on which ids were received in the Engineering epartment, the following purchase rders for payment to Conrad Erection Supply and Hipskind Asphalt Corporation ave been submitted:

.O. 15300 ---------------$4,450.00

.O. 15363 ---------------$5,442.50

Approved and order Purchase Orders in the amounts of $4,450.00 and $5,442.50, totaling $9,892.50, sent to Common Council Tuesday, May 8, 1973 at 8 p.m.

eceived plans and property ownership list repared by the Street Engineering Department, for resurfacing of the alley between ildwood and Kinnaird Avenue from the est property line of the first alley est of Hoagland Avenue to the west roperty line of the first alley east f Fairfield.

Ordered the Street Engineering Department to prepare final plans, specifications, estimate, property ownership list and Alley Resurfacing Resolution which will provide for property owner and City each paying 50% of the total costs.

ermission was granted to Northern Indiana ublic Service, 1501 Hale Avenue, to barricade e alley between Barr and Lafayette and yne and Washington Streets beginning esday, May 1, 1973 at 2:00 p.m. to Monday, y 21, 1973 at 3:30 p.m.
POSE: Insert plastic in gas main.

Approved and permit was granted.

Meeting adjourned at 4:35 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

EST:

Smith
I. Smith, Clerk

Monday, May 7, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meetings held Monday, April 30, 1973 at 9 a.m.; Tuesday, May 1, 1973 at 9 a.m.; Thursday, May 3, 1973 at 9 a.m.; and Thursday, May 3, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received driveway application.

Approved and permits issued.

5615 Winter Street ---------- Gale Wertman
2010 Lakeview ---------------- John Dehner, Inc.
Hobson Road - N/Coliseum Blvd. E. --Hagerman Const.

4. Received street cut applications.

Approved and permits issued.

424 E. Dewald (alley) ----------- NIPSCO
1326 Hugh St. (alley) ----------- NIPSCO
1217 McCulloch (alley) ----------- NIPSCO
1409 McCulloch (alley) ----------- NIPSCO
429 Poplar ------------------------- NIPSCO
1827 Antoinette -------------------- NIPSCO
3420 Alexander ------------------- NIPSCO
520 E. Brackenridge (alley) ------- NIPSCO
1330 Burgess ---------------------- NIPSCO
1120 S. Calhoun (street) ---- Water Const.
1114 E. Creighton ----------------- NIPSCO
100 & 200 Blk. Collins (prkstrp)-Water Const.
1150 Clay St. --------------------- NIPSCO
3428 Chestnut --------------------- NIPSCO
4822 Devonshire ------------------- NIPSCO
3406 Debeney DR. (bore - prkstrip) ------ Water Const.
1319 Eliza (prkstrp) --------- Water Const.
1243 Fletcher --------------------- NIPSCO
3033 Goshen Rd. (prkstrp) --- Water Const.
2821 Hazelwood Ave. (parkstrp) Water Const.
1919 Ida Ave. (bore - prkstrp) Water Const.
4832 Illinois Rd. (prkstrp)-- Water Const.
825 E. Pontiac St. --------------- NIPSCO
2826 Lillie --------------------- NIPSCO
1515 Lumbard (prkstrp) ----- Water Const.

Received private sidewalk applications. 26 California -------------F. E. Weddle 0 Blk. E. Masterson --- F. J. Tibbitts Const.	Approved and permits issued.
Received a request from Old Fort Branch Y.M.C.A., Bernard L. Harrison, for permission to hold a parade on Saturday, June 2, 1973 from 11:00 a.m. to 12:30 p.m. starting point: 436 E. Wallace and termination point: 2201 Reed Street. Detailed route to be traveled: East on Wallace to Hanna, South on Hanna to Buchanan, East on Buchanan to Greenlawn Court, North to Oakland Court, East to Smith, South on Smith to Greene Street, East on Greene Street to 2201 Reed Street. Approximately 700 to 800 people and 25 to 30 vehicles will participate.	Approved and permission granted.
Received a request from American Legion Waynedale Post NO. 241, % Adjutant, for permission to hold a parade on May 28, 1973 from 2:00 p.m. to 3:30 p.m. Starting point: McArthur Drive and Old Trail Road Terminating point: Prairie Grove Cemetery. Approximately 150 - 200 persons and 20 vehicles. PURPOSE: Memorial Day Parade.	Approved and permit issued.
Received Partial Payment Estimate No. 1 in the amount of(Hipskind Asphalt Corporation) $7,308.90 approved by the Street Engineering Department for Resolution No, 5626-1972 - for improving Dunnwood Drive.	Approved and ordered invoice of Hipskind Asphalt Corporation in the amount of $7,308.90 paid from the MVH 88-261 Fund.
Received Partial Payment Estimate No. 1 of John Dehner, Inc., in the amount of $89,921.58 approved by the Street Engineering Department for Resolution No. 5621-1972 - for improving ey Road.	Approved and ordered invoice of John Dehner, Inc., in the amount of $89,921.58 paid from the IAR & S Fund.
Received approved plan and profile, submitted by the Water Pollution Control Engineering Department for construction of Walden Section II Sanitary Sewer.	Approved. Issue Board Order Number 108-1973.
Received approved plan and profile, submitted by the Water Pollution Control Engineering Department for construction of Off-Site Storm and Sanitary Sewers - Taco Bell - South Anthony Boulevard.	Approved. Issue Board Order Number 109-1973.

12. Received a petition for the paving of Hawthorne Street - Gaywood Drive to Old Decatur Road.	Ordered the City Engineering Department to prepare preliminary plan and property ownership list and indicate percentage of property owners signing the petition.
13. Received Curb, Sidewalk and Street Repair Resolution No. 5635-1973, for Lafayette Street from the north property line of Main Street to the north property line of Vacated Columbia Street. (CITY PAID)	Approved and adopted. A true copy of which Resolution No. 5635-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5635-1973. Advertise, Notice to Contractors May 11 and 18, 1973. Receive Bids Tuesday, May 22, 1973 at 9 a. m. Ordered the Street Engineer to prepare Bid Documents.

Meeting adjourned at 9:15 a.m.

F. D. Foxwell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, May 10, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received private sidewalk applications.	Approved and permits issued.

600 Blk. S. Clinton ------- Hagerman Const.
3018 S. Clinton ----------- Emil Holliday
Encino (Lot 146-152) ----- Lebrato Bros.
Encino (Lot 153-154) ----- Lebrato Bros.
Encino (Lot 161 - 155) ---- Lebrato Bros.
Guild (Lot 128-131) ------ Lebrato Bros.
7511 Valley Meadow Dr. ---- Lebrato Bros.
7609 Valley Meadow Dr. ---- Lebrato Bros.
1003 Fulton --------------- D. Smith

Received street cut applications.	Approved and permits issued.

1939 Bear Paw Dr. (prkstrp) Water Const.
6712 Chickasaw Dr. (bore - prkstrp) - Water Const.
310 W. Jefferson ----- Don Vickery, Inc.
1515 Lumbard (prkstrp) ------ Water Const.
407 Madison (alley) -------------- NIPSCO
505 Madison (alley) -------------- NIPSCO
5311 Merchandise Dr. ------------- NIPSCO
7220 Miaqueah Ct. (bore - prkstrp) - Water Const.
926 Nuttman --------------------- NIPSCO
4704 Ottawa Dr. (bore - prkstrp) --- Water Const.
4712 Ottawa Dr. (bore - prkstrp) --- Water Const.
4808 Ottawa Dr. (bore - prkstrp) --- Water Const.
233 E. Pontiac ------------------ NIPSCO
314 E. Pontiac ------------------ NIPSCO
512 E. Pontiac ------------------ NIPSCO
Pettit W/ Hanna ------------------ NIPSCO
Pontiac W/Holly ------------------ NIPSCO
3808 E. Rudisill ---------------- NIPSCO
601 Reed Road ------------------- Don Glenn
2015 Roy St. ------------------- NIPSCO
4800 Speedway Dr. (prkstrp) ------ Water Const.

So. side of State at Woodward ---- NIPSCO
NE cor. Spring and Tyler -------- NIPSCO
State W/WEstbrook ---------------- NIPSCO
6211 Sunbury Dr. (prkstrp) - Water Const.
Tennessee E/Spy Run Ave. --------- NIPSCO
1215 Van Buren (alley) ----------- NIPSCO
Vermont bet. Kentucky & Crescent - NIPSCO
810 Ventura ---------------------- NIPSCO
1210 E. Washington (alley) ------- NIPSCO
3600 S. Washington Rd. ----------- NIPSCO
Watkins N/Main St. --------------- NIPSCO
1022 W. Main --------------------- NIPSCO
1620 Florida (alley) ------------- NIPSCO
2004 Ida ------------------------- NIPSCO

5. Received Final Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution No. 5615-1972 for the construction of sidewalk on the south side of Vance Avenue from the east pavement line of Coliseum Boulevard North to the west curb line of Inwood Drive.

CONFIRMED and ordered sent to the Department of Finance.

6. Received driveway application.

Approved and permit issued.

Washington Center Road near
Sharon Dr. intersection --- Stan Lipp

Meeting adjourned at 9:10 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, May 10, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

[illegible] D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

HEARING ON CONFIRMATION Sidewalk Improvement Resolution No. 5632-1973 for the construction of sidewalk on the west side of Calhoun Street from the north curb line of Tillman Road to the south curb line of Concord Lane except where sidewalk is now in place.	Continued to Thursday, May 24, 1973 at 3:30 p.m. Time up to receive remonstrance Monday, May 21, 1973 at 5:00 p.m.
Continued from April 26, 1973 HEARING ON CONFIRMATION Sidewalk Improvement Resolution NO. 5630-1973 for the construction of sidewalk on the east side of Calhoun Street from the north curb line of Tillman Road to the south curb line of Dunbar Lane, except where sidewalk is now in place. Remonstrance received after being tabulated by the Street Engineering Department, contains 81% of the resident property owners.	Continued to Thursday, May 24, 1973 at 3:30 p.m.
Received Plat of Arlington Park, Section IV, submitted and approved by the City Plan Commission.	Approved.
Received Change Order No. 1 in the amount of $297.00 of Maumee Construction Corporation covering fine grading work on Sidewalk Improvement Resolution No. 5622-1973 - Hessen Cassel Road.	Approved.

5. Received the following bids from the Purchasing Agent covering approximately 500,000 gallons of 42% Ferric Chloride Solution for Water Pollution Control Plant, 2601 Dwenger Avenue:

INLAND CHEMICAL CO. --------	$5.50/cwt.
WARSAW CHEMICAL CO. ---------	$5.75/cwt.
ULRICH CHEMICAL CO. ---------	$5.47/cwt.
DOW CHEMICAL CO. ------------	$5.23/cwt.

The bid of Dow Chemical Company was accepted under Purchase Order No. 0292, dated April 23, 1973, for the amount of $5.23/cwt.

Ordered sent to Common Council Tuesday, May 22, 1973 at 8:00 p.m.

6. Received the following bids from the Purchasing Agent covering approximately 800,000 gallons of Liquid Alum for Water Pollution Control Plant, 2601 Dwenger Avenue.

ALLIED CHEMICAL CO. ------	$.0126 lb.
AMERICAN CYANAMID CO. ----	$.0167 lb.

The bid of Allied Chemical Company was accepted under Purchase Order No. 0293, dated April 23, 1973, for the amount of $53.70 per net ton.

Ordered sent to Common Council Tuesday, May 22, 1973 at 8:00 p.m.

7. Received a request from A-1 Sanitary Sewer Service, Inc., 404 High Street, for permission to barricade the alley at the 1400 block of Wall Street beginning Friday, May 11, 1973 at 8:00 a.m. to Saturday, May 12, 1973 at Noon. PURPOSE: Pour cement alley.

Approved and permit was issued.

Meeting adjourned at 4:25 p.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, May 14, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
Received Minutes of Meeting held Monday, May 7, 1973 at 9 a.m.; Thursday, May 10, 1973 at 9 a.m.; and Thursday, May 10, 1973 at 3:30 p.m.	
Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
Received private sidewalk applications. 313 California Ave. --------- F. E. Weddle 3700 Weisser Park ------------ R. L. Gilbert	Approved and permits issued.
Received driveway applications. Home Ave. - across from the Duemling Clinic ---------- Irmscher & Sons, Inc. 409 Santa Rosa Ave. ---------- Fisher-Shroyer Concrete 4111, 4105, 4035 & 4029 Sheraton Drive ----------- Snouffer-Goldsberry Homes	Approved and permits issued.
Received street cut applications. 421 N. Calhoun ---------------- NIPSCO 611 Catherine -------------- NIPSCO 324 Cherokee ------------------ NIPSCO 717 Cortland ---------------- NIPSCO 320 Delta -------------------- NIPSCO 735 Forest Hill --------------- NIPSCO 539½ Forest Ave. -------------- NIPSCO Seddlemeyer W/S Anthony Blvd. -- NIPSCO 1529 California on Vermont------ NIPSCO	Approved and permits issued.

6. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution NO. 5622-1972 for the construction of sidewalk on the east side of Hessen Cassel Road from the south curb line of Paulding Road to a point approximately 515 feet south thereof except where asphalt sidewalk is now in place.	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment, May 18 and 19, 1973. Hearing on Confirmation of Assessment Roll, Thursday, May 31, 1973 at 3:30 p.m. Notices to be mailed May 19, 1973.
7. Received Agreement between the Lutheran Hospital and the City of Fort Wayne whereby the Hospital agrees to contribute $5,000.00 toward the proposed future construction of a storm sewer to provide drainage to their parking facilities. Said monies to be deposited with the City at the time "Project No. 30" or its equivalent is placed under contract.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement. Board Order Number 170-1973.
8. Received a request from Northern Indiana Public Service Company, 1501 Hale Avenue, for permission to barricade the alley at the 200 block of East Wayne beginning Friday, May 11, 1973 from 9 a.m. to 4:30 p.m. PURPOSE: Repair gas leak.	Approved and permission issued.
9. Received a request from Paul J. Yaney, 2101 Curdes Avenue, for permission to block Springfield Avenue between Anthony and Crescent Avenue starting at the site of the ball diamond which is located on Springfield Avenue between Anthony and Crescent starting May 19, 1973 until the end of July, 1973 from 5:45 p.m. - 7:30 p.m. on the nights of their ball games - two to four nights each week.	Approved and permit issued.
10. Received partial payment Estimate No. 6, in the amount of $94,891.05, for Bowen Engineering Corporation, covering work performed from April 7 to April 30, 1973 on Sewer Resolution No. 279-1972, Storm Water Treatment Facility Section V, EPA 11020 GYU.	Approved. Ordered City Utilities to pay $94,891.05 to Bowen Engineering Corporation from the Water Pollution Control Utility Fund. Pay Bowen Engr. Corp. Escrow Account $10,543.45 at Indiana Bank & Trust Co.
11. Received invoice No. 3 of Shambaugh & Son, Inc., for construction work on Interim Phosphorus Removal System for Services up to February 28, 1973 for the amount of $2,137.50.	Approved. Ordered City Utilities to pay Invoice NO. 3 of Shambaugh & Son, Inc., amount of $2,137.50 from the Water Pollution Control Utility Fund.
12. Received invoice No. 18 of Henry B. Steeg & Associates, Inc., for engineering services on Storm Water Demonstration Grant Project EPA No. 11020 GYU as per contract of June 2, 1971 for the amount of $1,755.49.	Approved. Ordered City Utilities to pay Invoice NO. 18 of Henry B. Steeg & Associates, Inc., for $1,755.49 from the Water Pollution Control Utility Fund.

Received a request from Steve Hand, 4607 Lafayette Esplanade, for permission to barricade the following streets: The east half of Lafayette Esplanade between Congress and Fleming, Sherwood Terrace between median of Lafayette Esplanade and Lafayette, Glencoe between median of Lafayette Esplanade and Lafayette Street on Sunday, May 20, 1973 from 3:30 p.m. to 6:00 p.m. PURPOSE: Neighborhood Assoc. Picnic.

Approved and permit issued.

Received a request from Northcrest Little League Association, Donald Rowlands, 642 Warwick, for permission to hold a parade on Saturday, May 19, 1973 from 9:30 a.m. to 10:30 a.m. Starting point: House of Venus (North) Termination point: North crest Little League Ball Park. Approximately 100 persons and 12 vehicles. PURPOSE: Opening Day of the Season.

Approved and permit issued.

Meeting adjourned at 9:15 a.m.

J. D. Boswell

Ronald L Bohan

BOARD OF PUBLIC WORKS

ATTEST:

Edna T. Smith

Edna T. Smith, Clerk

Wednesday, May 16, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meeting held on Monday, May 14, 1973 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received Pole Line Applications.

Approved and permits issued.

North of 3020 Alexander St ---- City Light
West of Fleming on Wayne Trace - City Light
Across from 3709 Grayston Ave. - City Light
Across from 3824 Gretna -------- City Light

4. Received private sidewalk applications.

Approved and permits issued.

1217 Clark St. --------------- David Jung
5115 Indiana Ave. ----------- O. L. Pense

5. Received street cut applications.

approved and permits issued.

2834 S. Barr ------------------- NIPSCO
7830 Bluffton Rd. (prkstrp) --- Water Const.
930 Broadway ------------------ NIPSCO
424 Buchanan ------------------ NIPSCO
502 Buchanan ------------------ NIPSCO
2617 S. Calhoun ---------------- NIPSCO
1512 S. Calhoun (alley) --------- NIPSCO
526 S. Calhoun ----------------- NIPSCO
2308 S. Calhoun ----------------- NIPSCO
2521 Caroline ------------------ NIPSCO
520 E. Creighton --------------- NIPSCO
4116 Dalewood ------------------- NIPSCO
3434 Debeney Dr. (bore - prkstrp) Water Const.
2431 Fox ---------------------- NIPSCO
2705 Fox ---------------------- NIPSCO
2514 S. Hanna ------------------ NIPSCO
3533 S. Hanna (alley) -------- NIPSCO
Hurd & Reed Sts. ---------------- NIPSCO
7216 Miahqueah Ct. (bore - prkstrp) Water Const.

Received Declaratory Resolution NO. 1340-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of Glenwood Avenue from the west right of way line of Hobson Road to a point 292.6 feet west, said point also being the division line between Rosalie Park Addition and Arnold's Suburban Addition, said additions are inclusive to the City of Fort Wayne, Indiana.

Approved and adopted. A true copy of which Resolution No. 1340-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1340-1973.

Advertise, Notice to Property Owners, May 31, 1973 and June 7, 1973.

Hearing on Confirmation Thursday, June 21, 1973 at 3:30 p.m.

Notices to be mailed June 7, 1973.

Received Alley Improvement Resolution NO. 5634-1973, final plans, estimate, specifications and property ownership list prepared by the Street Engineering Department for improving the alley between Brooklyn Avenue and Westview Avenue from the north property line of Covington Road to the south property line of Carlton Avenue.

Approved and adopted. A true copy of which Resolution No. 5634-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5634-1973.

Advertise, Notice to Property Owners, May 31, 1973 and June 7, 1973.

Hearing on Confirmation Thursday, June 21, 1973 at 3:30 p.m.

Notices to be mailed June 7, 1973.

Received Street Improvement Resolution No. 5633-1973, final plans, estimate, specifications and property ownership list prepared by the Street Engineering Department for improving Clermont Avenue from the east property line of Hessen Cassel Road to the west property line of Wayne Trace.

Approved and adopted. A true copy of which Resolution No. 5633-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 5633-1973.

Advertise, Notice to Property Owners, May 31, 1973 and June 7, 1973.

Hearing on Confirmation Thursday, June 21, 1973 at 3:30 p.m.

Notices to be mailed June 7, 1973.

9. Received Agreement between the City of Fort Wayne and Harry P. Laffkas whereas Mr. Laffkas, in consideration for the rezoning of 5.5 ± acres on the west side of Tielker Road, does hereby agree to participate in the cost of the paving of Tielker Road from Engle Road south to Genth Road. Said improvement shall not be completed before July 1, 1974.	Approved and filed in Board of Public Works under Agreement.
10. Received a request from Kieth Morphew, Band Director, South Side High School, 3601 S. Calhoun Street, for permission to block Clinton Court at Packard, Darrow and Clinton, also to block Clinton Court at Packard Avenue on Wednesday, May 16, 1973 to Friday, May 18, 1973 from 12:40 p.m. to 1:35 p.m.. PURPOSE: Band Practice.	Approved and permit issued.
11. Received a request from William G. Williams, Board of Public Works, City-County Building, for permit to block Columbia Street (Landing) at Calhoun and Harrison Streets on Wednesday, May 16, 1973 from 12:00 noon to 1:00 p.m. PURPOSE: Noon Day Concert Bishop Luers High School	Approved and permit issued.

Meeting adjourned at 9:25 a.m.

J. D. Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, May 17, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
Continued from February 15, 1973 HEARING ON CONFIRMATION Declaratory Resolution NO. 1330-1973 for the vacation of Calhoun Street from the north property line of Sixth Street to the north property line of Putnam Street.	Continued to Thursday, November 15, 1973 at 3:30 p.m.
Continued from February 15, 1973 HEARING ON CONFIRMATION Declaratory Resolution No. 1331-1973 for the vacation of Putnam Street from the east property line of Harrison Street to the west property line of Calhoun Street.	Continued to Thursday, November 15, 1973 at 3:30 p.m.
HEARING ON CONFIRMATION Sidewalk Improvement Resolution No. 5631-1973 for the construction of sidewalk on both sides of Hobson Road from the south line of U. S. 30 Bypass south to the north line of State Street, and on both sides of Vance Avenue from Hobson Road east to Sherborne Boulevard, except where sidewalk is now in place, to a width of five feet.	Continued to Thursday, May 31, 1973 at 3:30 p.m. Time up to receive remonstrance Tuesday, May 29, 1973 at 5 p.m.

4. Received Contract, Guaranty and Liability Bonds of Bercot, Inc., in the amount of $20,546.00, prepared by the Water Engineering Department, signed by Safeco Insurance Company of America, Seattle, Washington for Water Contract No. 7303, for construction of U. S. 30 Bypass Main Relocation.	Approved. Ordered Contract in the amount of $20,546.00 sent to the Common Council Tuesday, May 22, 1973 at 8 p.m.
5. Received a request from Queen of Angels Little League, A. Meyers, President, for permission to hold a parade on May 19, 1973, Saturday, Starting point 1327 Wells Street and termination point Queens of Angels on West State Street, from 12:00 Noon to 1:00 p.m. PURPOSE: Opening game of Little League.	Approved and permit issued.
6. Received a request from South Side High School, % Glen Stebing, 3601 S. Calhoun Street, for permission to have an Ivy Day Parade over the following streets: Oakdale Drive between Calhoun and Clinton Court, Clinton Court at Oakdale, Calhoun Street between Oakdale and Darrow Avenue. Friday, June 1, 1973. PURPOSE: Ivy Day Parade. Time: 8:00 a.m. to 8:45 a.m.	Approved and permit issued.
7. Received a request from Farrell Burgess, 2508 Smith Street, for permission to barricade Smith Street between Pontiac and McKee Streets beginning Wednesday, July 4, 1973 from 7:00 p.m. to 11:00 p.m. PURPOSE: Block Party.	Approved and permit issued.
8. Received a request from Midwest Latin American District Council, Christ Embassador, Indian Section, Assemblies of God, Inc., 533 E. Suttenfield, for permission to have a Jesus March Parade over the following streets: Brackenridge to Calhoun, Calhoun to Main, Main to Van Buren, Van Buren to Sherman, Sherman to Spring to Templo Aposento Alto Church. Saturday, May 19, 1973. PURPOSE: Jesus March Time: 1:00 p.m. to 2:00 p.m.	Approved and permit issued.
9. Received a request from Ken Minnick, 513 Greenlawn, for permission to barricade Greenlawn Avenue between Short and Cortland beginning Saturday, May 19, 1973 from 2:00 p.m. to 8:00 p.m. PURPOSE: Block Party	Approved and permit issued.

Received a request from New Exteriors, Inc., 2417 Spy Run Avenue, for permission to barricade the alley behind Ketch Drugs on Wells Street beginning Saturday, May 19, 1973 from 8:00 a.m. to 1:00 p.m. PURPOSE: To put siding on side of house.	Approved and permit issued.
Received a request from Miller Roofing, c/o George Miller, P.O. Box 966, for permission to block section of sidewalk in front of the west entrance of the Court House on Calhoun Street beginning Monday, May 21, 1973 and Tuesday, May 22, 1973 from 7:00 a.m. to 6:00 p.m. PURPOSE: Set up equipment to do work on roof.	Approved and permit issued.
In the matter of Saint Joseph River Interceptor Sewer Resolutions 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276 and 277, on which tentative awards were made June 27, 1972 conditioned upon EPA approval, the Board now deems it advisable to rescind all tentative awards due to expiration of Bids and EPA's rejection of portions as ineligible for Federal Funding. Said rejection will necessitate elimination and/or modification of portions of the project.	Approved. Notice to Contractors for bids to be readvertised on Resolutions 266, 267, 271, 272, 273, 275, 276 and 277.

Meeting adjourned at 4:20 p. m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

CLERK

Tuesday, May 22, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

PRESENT:

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Wednesday, May 16, 1973 at 9 a.m. and Thursday, May 17, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities. — Approved.

2. Received payment vouchers from the Auditor of City Utilities. — Approved.

3. Received private sidewalk applications. — Approved and permits issued.

6103 Bluespruce ------------ J.T. Lebrato
2505 Cambridge --------------- Mrs. Hecke
1811 Mary Avenue --------- Victor Reality
4914 Plaza ----------------Mr. Kruckeberg
2101 Thompson -------------- John DeYoung

4. Received driveway applications. — Approved and permits issued.

6404 S. Calhoun St. -------- Brooks Const.
5002 Holton Avenue ----- Donald D. Decker
S. side of Illinois Rd.----- Yost Co's Inc. (Returned for approval of WPC Engineer)(Released 5-23-73)
1606 Lakewood Drive ---- Lebrato Brothers
5311 Merchandise Dr.-------- Graham Const.
1137 Wabash --------- Mrs. Charlie Walker
6515 Winter St.---------- Jet Contracting
526 Southview Avenue ------ Paul M. Burns

5. Received street cut applications. — Approved and permits issued.

3416 Abbott (alley) -------------- NIPSCO
3420 S. Barr ---------------------- NIPSCO
3534 Central ---------------------- NIPSCO
Clinton & E. Creighton ----------- NIPSCO
4315 S. Colonial ----------------- NIPSCO
3316 Debeney Dr. (Bore-Prkstrp)--- Water Const.
6601 Decatur Rd. ----------------- NIPSCO
3017 Dellview -------------------- NIPSCO
806 W. Dewald -------------------- NIPSCO
1919 Emma ------------------------ NIPSCO
Indiana & Fairfax ---------------- NIPSCO
4516 Innsbruck Dr. (Bore-Prkstrp)- Water Const.
4522 Innsbruck Dr. (Bore-Prkstrp)- Water Const.
316 E. Leith --------------------- NIPSCO
1128 Maumee (alley) -------------- NIPSCO
1150 Nuttman --------------------- NIPSCO
2017 Oakland --------------------- Water Const.
6339 Old Brook Dr. (Bore-Prkstrp)- Water Const.
2936 Oliver ---------------------- NIPSCO
535 E. Pontiac ------------------- NIPSCO
910 E. Rudisill ------------------ NIPSCO
930 E. Rudisill ------------------ NIPSCO
928 Savilla Ave. ----------------- NIPSCO
S. Park & Oxford ----------------- NIPSCO
1111 W. Washington Ctr. Rd.(b & p) Water Const.
5702 Webster --------------------- Water Const.
2706 Weisser Park ---------------- NIPSCO
3021 Weisser Park ---------------- NIPSCO

RECEIVE BIDS:

Curb, Sidewalk & Street Repair Resolution No. 635-1973 for the repair of the curb, sidewalk and street on the west side of Lafayette Street from the north property line of Main Street to the north property line of vacated Columbia Street.

Referred to the Street Engineer for tabulation and report.

Award Contract Thursday, May 24, 1973 at 9 a.m.

JOHN DEHNER, INC. ---------------	$6,213.25
A. GROSJEAN & SON ---------------	$5,958.50

Received a request from Allen County Council of Veterans Organizations, c/o Henry Radke, 2730 Holton Avenue, for permission to have a Memorial Services Parade over the following streets: Fricke, Nettie, Stadium, Charlotte, north on Parnell to Coliseum. Wednesday, May 30, 1973.
PURPOSE: Memorial Day Parade
Time: 7:00 p.m. to 8:00 p.m.

Approved and permit issued.

Received a request from Farm Labor Aid Committee, 1641 Wells Street, for permission to have a parade over the following streets: Resevoir Park, south on Clinton to Darrow, east on Darrow to South Side High School Field. Saturday, May 26, 1973.
PURPOSE: Promotional Parade
Time: 1:30 p.m. to 2:30 p.m.

Approved and permit issued.

Received a request from Harry W. Koch, 1717 S. Lafayette Street, for permission to barricade the 2700 block of Belle Vista Blvd. and the 5900 block of Allendale Court beginning Saturday, May 26 and Sunday,May 27, 1973 from 11:00 a.m. (Sat.) until 7:30 p.m. (Sun.)
PURPOSE: Block Party

Approved and permit issued.

Received a request from Old Fort Branch YMCA, c/o Bernard L. Harrison, 2201 Reed Street, for permission to barricade Reed Street between Creighton and Green St. beginning Saturday, June 2, 1973 from 12:30 p.m. to 3:30 p.m.
PURPOSE: Promotional Festivities

Approved and permit issued.

Received a request from Snider High School, c/o Dan Howe, 4816 Hartford Drive, for permission to have a Graduation Parade over the following streets: Parnell Ave. to Highway 427, Highway 427 to St. Joe Center Road, St. Joe Center Rd. to Highway 27 exchange for I-69. Friday, June 1, 1973.
PURPOSE: Graduation Parade
Time: 9:15 a.m. to 9:50 a.m.

Approved and permit issued.

12. Received a request from NIPSCO, 1501 Hale Avenue, for permission to barricade the east-west alley between E. Wayne & E. Washington from Clinton to Barr beginning Tuesday, May 22, 1973 at 8:00 a.m. to Friday, May 25, 1973 at 4:00 p.m. PURPOSE: Installing new services onto a new main.	Approved and permit issued.
13. Received Change Order No. 1 in the amount of $816.00, prepared by the Street Engineer covering work performed under Resolution No. 5627-1972 for curbface walk at West State Boulevard and Jesse Avenue.	Approved.
14. Received Change Order No. 1 in the amount of $244.00, prepared by the Water Engineer covering work performed under Water Contract No. 73-XP-2, Cook Road Feeder Main, Phase I.	Approved.
15. Received Partial Payment Estimate No. 4 of Shambaugh & Sons, Inc. in the amount of $12,325.50 for work performed on the Interim Phosphorous Removal System.	Approved. Ordered invoice of Shambaugh & Son, Inc. in amount of $12,325.50 paid by City Utilities from the Water Pollution Control Fund.
16. Received Contract, Guarantee and Liability Bonds of A. Grosjean & Son, in amount of $7,687.00, prepared by the Street Engineering Department and signed by the Cincinnati Insurance Company for Alley Improvement Resolution No. 5628-1973, alley between Kinnaird and Packard Avenues.	Approved. Ordered sent to the Common Council Tuesday, June 12, 1973 at 8:00 p.m.

Meeting adjourned at 9:45 a.m.

D. Boswell

Ronald L. Bonar

ATTEST:

Edna L. Smith
CLERK

Thursday, May 24, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

PRESENT
J. D. Boswell, R. L. Bonar, W.G. Williams
Edna I. Smith, Clerk

Received Minutes of Tuesday, May 22, 1973
at 9 a. m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved.

Received pole line application.

Approved and permits issued.

East of 2619 Lynn Avenue --------- City Light

Received private sidewalk applications.

Approved and permits issued.

4018 S. Calhoun ------------------ F.J. Tibbitts
4002 Hoagland ------------------ Valentine Const.
3318 Smith -------------------- Willie Henderson
1432 Winter St.---------------------- Sam Smith
1439 Winter St.---------------------- Sam Smith

Received driveway applications.

Approved and permits issued.

5115 Indiana Avenue ----------------- O.L. Pense
1508 Margaret Avenue -------------- Walter Ellis
517 Mechanic ------------------------- Don Till
4914 Plaza ------------------- Emil P. Holliday
3223 E. Pontiac ---------------------- Don Till

Received street cut applications.

Approved and permits issued.

5900 Ardmore ---------------------------- NIPSCO
521 E. Berry ---------------------------- NIPSCO
Brackenridge & Lafayette ---------------- NIPSCO
233 E. Butler --------------------------- NIPSCO
1326 Cass ------------------------------- NIPSCO
504 S. Calhoun (alley) ------------------ NIPSCO
818 S. Calhoun (alley) ------------------ NIPSCO
2106 S. Calhoun ------------------------- NIPSCO
4538 S. Calhoun (alley) ----------------- NIPSCO
916 Dartmouth --------------------------- NIPSCO
DeWald & Lafayette ---------------------- NIPSCO
424 E. Dewald (alley)-------------------- NIPSCO
414 E. Douglas (alley) ------------------ NIPSCO
538 E. Douglas (alley) ------------------ NIPSCO
4211 Earth Drive ------------------------ NIPSCO
805 Eliza St. (alley) ------------------- NIPSCO
3130 Lafayette -------------------------- NIPSCO

7. AWARD CONTRACT

Curb, Sidewalk, Street Repair Resolution No. 5635-1973 for the improvement of the curbing, sidewalk and street on the west side of Lafayette Street from the north property line of Main Street to the north property line of Vacated Columbia Street.

AWARD CONTRACT to A. Grosjean & Son at and for their bid, in the amount of $5,958.50.

8. Received the Plat, Dedication, Protective Restrictions, Easements and Approvals for HAVERHILL ADDITION, SECTION I, submitted and approved by the City Plan Commission.

Approved.

9. Received the Second Amendment to Protective Covenants, Restricts and Limitations of Trixholme Addition, Section E submitted and approved by the City Plan Commission.

Approved.

Meeting adjourned at 9:20 a. m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L Smith

CLERK

Thursday, May 24, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Continued from May 10, 1973
HEARING ON CONFIRMATION

RESCIND ALL ACTION

Sidewalk Improvement Resolution No. 5632-1973 for the construction of sidewalk on the west side of Calhoun Street from the north curb line of Tillman Road to the south curb line of Concord Lane except where sidewalk is now in place.

Remonstrance received after being tabulated by the Street Engineering Department, contains 19 out of 25 or 76% of the resident property owners.

Continued from May 10, 1973
HEARING ON CONFIRMATION

RESCIND ALL ACTION

Sidewalk Improvement Resolution No. 5630-1973 for the construction of sidewalk on the east side of Calhoun Street from the north curb line of Tillman Road to the south curb line of Dunbar Lane, except where sidewalk is now in place.

Remonstrance received after being tabulated by the Street Engineering Department, contains 81% of the resident property owners.

Received request from Northern Indiana Baptist Association, c/o Jesse White, 1223 Summit Street to have a parade Saturday, May 26, 1973 from 10 a.m. to 12:45 p.m. Route: Starting at Hanna and Wallace Streets, down Hanna to Lewis, Lewis to Barr Street, Barr Street to Main, Main Street to Calhoun, south on Calhoun to Creighton Avenue, east on Creighton to John Street.

Approved and permit issued.

4. Received request from Ronald Harruff, 7432 Pinedale Drive, to barricade Hopewell Drive Sunday, May 27, 1973 from 4 to 9 p. m. Purpose: Block Party.	Approved and permit issued.

Meeting adjourned at 3:50 p. m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

CLERK

Tuesday, May 29, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received minutes of meeting held Thursday, May 24, 1973 at 9 a.m. also Thursday, May 24, 1973 at 3:30 p.m.

Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

Received pole line applications.

Approved and permits issued.

East side of Calhoun St., from Packard to Creighton ------------------- City Utilities
Alley east of Calhoun St. at 89' north of McKinnie St. ------------------- Gen. Tel.
East of 2619 Lynn Avenue -------- City Light
North side of alley behind 1516 E. Rudisill Blvd. 9' E/O existing pole #77501-1516 ---- ------------------------------------ Gen. Tel.
South of 3406 Winter Street ----- City Light

Received private sidewalk applications.

Approved and permits issued.

1319 Branning ----------------- Maumee Const.
1320 Branning ----------------- Maumee Const.
S.E. Cor. Huffman & St. Marys-Trinity Lutheran

Received driveway applications.

Approved and permits issued.

E. Berry St., 330' E. of intersection of Hanover & Berry --------------- Brooks Const.
5424 Buell Drive -------------- Gale Wertman
5005 Indiana Avenue ----- Carrington & Assoc.
2725 W. Main Street ----------- Brooks Const.

Received street cut applications.

Approved and permits issued.

7715 Bluffton Rd. ------------------- NIPSCO
1424 Columbia (alley)------------ John Moran
Creighton & Lafayette --------------- NIPSCO
3007 Dellview ----------------------- NIPSCO
4218 Encino ------------------------- NIPSCO
5113 S. Harrison -------------------- NIPSCO
Ida & Tyler -------------------- Water Const.
2336 Lillie ------------------------- NIPSCO
2814 Lillie (alley) ----------------- NIPSCO

Lower Huntington ------------Arrow Signal Corp.
2401 Montclair ------------------------ NIPSCO
Murry St. ---------------------------- NIPSCO
2006 Nuttman -------------------------- NIPSCO
2929 Oliver --------------------------- NIPSCO
Pontiac & Abbott ---------------------- NIPSCO
6333 Reserve Line Rd.------------- Water Const.
2516 Sherborne ------------------------ NIPSCO
518 Southview ------------------------- NIPSCO
824 E. State -------------------- Water Const.
3010 E. State Blvd. -------------- Water Const.
606 E. Suttenfield -------------------- NIPSCO
3800 Taylor ---------------------- Water Const.
612½ W. Third ------------------------- NIPSCO
4211 Thornton Drive -------------- Water Const.
2009 Tillman Road ---------------- Water Const.
4110 Victoria Drive -------------- Water Const.
1319 Wall Street ---------------------- NIPSCO
2120 Warsaw Street -------------------- NIPSCO
3810 N. Wells ------------------------- NIPSCO

7. Received Warranty Deed from Ohio Plate Glass Company, an Ohio Corporation, duly admitted to do business in the State of Indiana, of Lucas County in the State of Ohio whereby they warrant and convey to the City of Fort Wayne, Indiana, an Indiana Municipal Corporation, the following described real estate in Allen County, Indiana:

   Lots Numbered 172, 173, 174, 175 and 205 in Lewis Addition to the City of Fort Wayne, according to the recorded plat thereof.

   Said Warranty Deed recorded May 22, 1973, Item 73-12145. Instrument G-2695.

The Warranty Deed from Ohio Plate Glass Company was made a matter of record.

A true copy of which Deed is incorporated by reference herein and appears in Minutes herein under Warranty Deed.

8. Received Special Sewer Permit for Shirmeyer Associates, Inc., prepared by the Water Pollution Control Engineering Department to construct a sanitary sewer known as Pheasant Run Phase II Sanitary Sewer - Block "B". Nobis-Westropp Construction Co., Inc. is to perform the construction work.
   B.O. 174-1972 which was issued for Block "A" is to be used also for Block "B".

Approved and Special Sewer Permit issued.

9. Received a request from Moellering Construction, P. O. Box 1168, for permission to barricade Foster Park Drive between Hartman and Fairfield Avenue beginning Wednesday, May 30, 1973 from 8:30 a.m. to 1:30 p.m.
   PURPOSE: Removing damaged beams from bridge and replacing with new beams.

Approved and permit issued.

Received invoice NO. 1 of Westenhoff & Novick, Inc., in the amount of $1,006.70 for professional engineering services in connection with Wells Street Corridor Feasibility Study.	Approved and ordered invoice of Westenhoff & Novick, Inc. in the amount of $1,006.70 paid from Account No. 66-2-267.
Received a request from Grace United Church of Christ, % Frank Wills, 4120 Webster St., for permission to barricade Webster Street from the corner of Webster and Lexington to the northern end of the Church beginning Monday, June 11, 1973 to Friday, June 22, 1973 (Monday thru Friday ONLY) from 8:30 a.m. to 11:30 a.m. PURPOSE: Need Play Area for Kids attending Bible School.	Approved and permit issued.
Received a request from Martha Thomas, 5016 Mosskey Court, for permission to block the 2700 block of Gay Street at Pontiac and McKee Streets (in front of Faith Missionary Baptist Church) on Saturday, June 16, 1973 from 2:00 p.m. to 8:00 p.m. PURPOSE: Block Party.	Approved and permit issued.

Meeting adjourned at 9:20 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, May 31, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar,
Edna I. Smith, Clerk

1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL

Sidewalk Improvement Resolution NO. 5622-1972 for the construction of sidewalk on the east side of Hessen Cassel Road from the south curb line of Paulding Road to a point approximately 515 feet south thereof, except where existing asphalt sidewalk is now in place.

The Board determined the benefits as indicated.

Ordered the Street Engineering Department to prepare the Final Assessment Roll.

2. Continued from May 17, 1973
HEARING ON CONFIRMATION

Sidewalk Improvement Resolution No. 5631-1973 for the construction of sidewalk on both sides of Hobson Road from the south line of U. S. 30 Bypass south to the north line of State Street, and on both sides of Vance Avenue from Hobson Road east to Sherborne Boulevard, except where sidewalk is now in place, to a width of five feet.

CONFIRMED.

Bids to be let by State.

3. Received Special Sewer Permit for Niemeyer Corporation prepared and approved by the Water Pollution Control Engineering Department, to construct a sanitary sewer known as: Lake Forest Extended, Section III. No bond required, said sewer has been installed over one year.

Approved and Special Sewer Permit issued.

Received a request from Greenfield Remodeling, 5611 Old Decatur Road, for permission to park truck in NO PARKING area - 122 W. Washington on Thursday, May 31, 1973 through Tuesday, June 5, 1973 from 8:00 a.m. to 5:00 p.m. PURPOSE: Remodeling Cinema X Theater.	Approved and permit issued.
Received a request from Indiana Michigan Electric Company, 1201 Spy Run Avenue, % Joseph Longardner, for permission to block the center lane of Calhoun Street between Wayne and Washington Streets on Sunday, June 3, 1973 from 8:00 a.m. to 3:00 p.m. PURPOSE: To install larger transformers.	Approved and permit issued.

Meeting adjourned at 4:05 p.m.

Boswell

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

June 4, 1973, Monday

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meetings held on Tuesday, May 29, 1973 at 9 a.m.; also Meeting held at 3:30 p.m. on Thursday, May 31, 1973.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

2901 Brooklyn --------------- Gene Kunberger
2314 S. Hanna -------------- Preston-Lyons Const.
1220 Kensington ------------- J. L. Thomas Const.
Cor. Lafayette & Main ----- Robt. Houser
4320 Marquette ------------- J. T. Thomas
3226 Robinwood ------------- Robt. Houser
2943 Weisser Pk. ------------ Preston-Lyons Const.'

4. Received Pole Line Application.

Approved and permit issued.

On Oliver from McKee and Eckart Sts. -- City Light

5. Received driveway applications:

Approved and permits issued.

4018 S. Calhoun St. ----------- F. J. Tibbitts Const.
1245 W. Foster Parkway -------- L. H. Kanning
902 Russell Ave (2) ----------- R. W. Kain, Inc.

6. Received street cut applications.

Approved and permits issued.

3402 Abbott (alley) ------------------- NIPSCO
4420 Albert (bore - prkstrp) --- Water Const.
1017 S. Barr (alley) ------------------ NIPSCO
938 E. Berry (alley) ------------------- NIPSCO
Barr & Wayne (intersection) ------------- NIPSCO
2127 Birchwood ------------------------- NIPSCO
3613 Brentwood ------------------------- NIPSCO
5115 Indiana (bore - prkstrp) ---- Water Const.
7211 Miaqueah Dr. (prkstrp) ------ Water Const.
4924 Reed Rd. (bore - prkstrp) ---- Water Const.
6333 Reserve Line Rd. ----------------- NIPSCO
4716 Tirol Pass (bore - prkstrp) --- Water Const.
Tyler to Jessie (alley) --------------- NIPSCO
2313 Wayne Trace ----------------------- NIPSCO

Received Declaratory Improvement Resolution No. 1342-1973, final plans and property ownership list, prepared by the Street Engineering Department for the condemnation of right of way for street purposes across the south 20 feet of a portion of Lot 1, Curdes South Acre Addition.	Approved and adopted. A true copy of which Resolution No. 1342-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1342-1973. Advertise, Notice to Property Owners, June 7 and June 14, 1973. Hearing on Confirmation Thursday, June 28, 1973 at 3:30 p.m. Notices to be mailed June 14, 1973.
Received Declaratory Improvement Resolution No. 1343-1973, final plans and property ownership list, prepared by the Street Engineering Department for the condemnation of right of way for street and utility purposes along the south side of Tillman Road between Old Decatur Road and Anthony Boulevard.	Approved and adopted. A true copy of which Resolution No. 1343-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1343-1973. Advertise, Notice to Property Owners, June 7 and June 14, 1973. Hearing on Confirmation Thursday, June 28, 1973 at 3:30 p.m. Notices to be mailed June 14, 1973.
Received plat, Protective Restrictions, Covenants and Limitations for Lake Forest Extended, Section V submitted and approved by the City Plan Commission.	Approved.
Received Partial Payment Estimate No. 7 from Scheele Construction Company, Inc., in the amount of $16,500.00 for Storm Water Overflow Demonstration - Resolution No. 260-1971.	Approved and ordered invoice of Scheele Construction Co., Inc., in the amount of $16,500.00 paid from the Sewer Relief Fund.

11.	Received Partial Payment Estimate No. 3, in the amount of $2,913.53, of Mick & Rowland, Inc., for surveying and drafting services on St. Joe Interceptor Project, all in accordance with Agreement dated August 31, 1971. (FINAL PAYMENT)	Approved. Ordered City Utilities to pay invoice of Mick & Rowland, Inc., in the amount of $2,913.53 (FINAL) from the Water Pollution Control Utility Fund.
12.	Received Water Contract No. 7304 prepared and approved by the Water Engineer, between the Fort Wayne Water Utility and Jewel Builders, Inc., on Timberhill Drive from Hobson Road to Ferndale Street, on Mayberry from Timberhill Drive northward 175 ± feet; on Ferndale Street from Roseview Road, eastward 350 ± feet to existing main, on Roseview Road from Ferndale Street northward to Stellhorn Road and on Plymouth Street from Roseview Road eastward 230 ± feet to existing main.	Approved. Ordered sent to the Water Engineer to be recorded.
13.	Received Periodic Estimate No. 1, in the amount of $8,750.41, of Hipskind Asphalt Corporation, for Sewer Resolution No. 857-1972 - Trixholme Addition area.	Approved. Ordered City Utilities to pay invoice of Hipskind Asphalt Corporation, in the amount of $8,750.41 from the Water Pollution Control Utility Fund.
14.	Received Plat, Easements and Protective Restrictions, Covenants, and Limitations for Blackhawk Farm Section II submitted and approved by City Plan Commission.	Approved.
15.	Received a petition for resurfacing of the alley between East Wayne and East Washington Streets (600 Block).	Ordered Street Engineer to make preliminary investigation.
16.	Received a request from Northern Indiana Public Service, 1501 Hale Avenue, % H. P. Stein, for permission to barricade the alley between Barr and Clinton Streets, Wayne and Washington Streets, on June 4, 1973, Monday, from 8:00 a.m. to 4:00 p.m. PURPOSE: To install Main.	Approved and permit issued.

Received a request from Bercot, Inc., 3838 Mobile, for permission to close So. Anthony Boulevard (in front of 7111 So. Anthony) - (traffic routed around to Seddlemeyer Avenue to Old Decatur Road) beginning Tuesday, June 5, 1973 and Wednesday, June 6, 1973 from 9:00 a.m. to 3:00 p.m. PURPOSE: To make cut across street for sewer installation.	Approved and permit issued.
Received a request from Northern Indiana Public Service, 1501 Hale Avenue, for permission to block the alley between Wayne and Washington Streets and Barr and Clinton Streets on Wednesday, June 6, 1973 through Friday, June 22, 1973 from 7:30 a.m. to 4:45 p.m. PURPOSE: Repair of gas leaks.	Approved and permit issued.
Received a request from Northside Missionary Church, 736 Lillian Street, for permission to hold a parade on June 9, 1973 from 10:00 a.m. to 12:00 Noon. Route to be traveled: Lillian to Cortland to Clayton to Hench, Hench to Irene to Goshen to Sherman to Russell to alley to Elmer to Sherman to Franke Park for picnic. PURPOSE: Daily Vacation Bible School picnic.	Approved and permit issued.
Received pole line applications. Between 717 and 723 Kinnaird ------- City Light S.E. cor. of alley at 415 W. Wildwood - City Light	Approved and permit issued.

Meeting adjourned at 9:35 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Edna L. Smith, Clerk

Thursday, June 7, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk application.

3034 Holton Avenue ------- Tony Valadez

Approved and permit issued.

4. Received street cut applications.

N. Anthony Blvd. ------------------ NIPSCO
7315 Autumn View Dr./Ridgeway ----- NIPSCO
2310 Alden -------------------- NIPSCO
5831 S. Anthony ------------------- NIPSCO
5836 S. Anthony ----------------- NIPSCO
1928 Alliger (alley) ------------- NIPSCO
2414 N. Anthony (alley) ---------- NIPSCO
7111 S. Anthony ---------------- S. Bercot
Bueter Rd. cl of N&W Railroad --- NIPSCO
Barr nc of Washington ---------- NIPSCO
Bristol NE cor. Edgeknoll ------- NIPSCO
4219 S. Calhoun ---------------- NIPSCO
6812 Chickasaw (bore - prkstrp)- Water Const.
S. Calhoun N/ Babson ------------- NIPSCO
2123 Dale Dr. ------------------ NIPSCO
2302 Forest Park (alley) ----- NIPSCO
Gerke W/ Calhoun --------------- NIPSCo
Greenwood cl of Illinois ------- NIPSCO
3424 Heritage ------------------ NIPSCO
Hoover W/ Calhoun ------------ NIPSCO
McCulloch 1425 (alley) ----------- NIPSCO
2604 Nordholm ------------------ NIPSCO
Knightswood N/ Breckwood ------- NIPSCO
Leesburg Rd. sc Spring ---------- NIPSCO
Leesburg nc / Main ------------- NIPSCO
6601 Pawana Dr. (prkstrp) -- City Utilities

Approved and permit issued.

2424 Pleasant (rear) Ind. & Mich. Elec. Co.
6706 Penmoken NIPSCO
Ridgetree E/O Redfield, Redfield N/O Rivertree,
Falcon E/O Hemphill, Hemphill N/O Falcon,
Kinnerk S/O Hemphill & Springhill N/O
Hemphill ------------------- Gen. Tele. Co.
3210 Reynolds ---------------------- NIPSCO
Richardson cl of Rumsey ------------ NIPSCO
E. State (Woodward - Randalia) ----- NIPSCO
E. State NW cor / U.S. 30 Bypass --- NIPSCO
W. State wpl / Westbrook ----------- NIPSCO
E. State / Parkview Hospital ------- NIPSCO
W. State wcl of Tyler -------------- NIPSCO
Southcrest sw cor. ----------------- NIPSCO
4223 Thornton Dr. (prkstrp) --- Water Const.
4118 Thornton (bore - prkstrp) - Water Const.
Trier Road wcl / Hobson Rd.-Ind & Mich. Elec.
U.S. 30 & U.S. 24 (intersection) --- NIPSCO
1140 Wabash ----------------------- NIPSCO
1301 Wabash ---------------------- Nipsco
1825 Winter (alley) --------------- NIPSCO

Received Final Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution NO. 5622-1972 for the construction of sidewalk on the east side of Hessen Cassel Road from the south curb line of Paulding Road to a point approximately 515 feet south thereof, except where asphalt sidewalk is now in place.

CONFIRMED and ordered sent to the Department of Finance.

Received a petition for the installation of a water line to serve Lake Avenue from 5160 Lake Avenue to 5248 Lake Avenue.

Referred to the Water Engineer for investigation and report.

Received Declaratory Resolution No. 1339-1973, final plans and property ownership list, prepared by the Street Engineering Department for the opening of a sixty (60) foot wide street which is the extension of existing Stratford Road, said extension to be known as Stratford Road.

Approved and adopted. A true copy of which Resolution NO. 1339-1973 is incorporated by reference herein and appears in Minutes herein, under Res. No. 1339-1973.

Advertise, Notice to Property Owners, June 14 and 21, 1973.

Hearing on Confirmation Thursday, July 5, 1973 at 3:30 p.m.

Notices to be mailed June 21, 1973.

Received Declaratory Resolution NO. 1344-1973 final plans and property ownership list, prepared by the Street Engineering Department for the vacation of the first alley west of Griswold Drive from the south property line of Anderson Avenue to the north property line of the first alley south of Anderson Avenue, said alley lying between Lots 44 and 45, Fairview Place Addition.

Approved and adopted. A true copy of which Resolution No. 1344-1973 is incorporated by reference herein and appears in Minutes herein, under Res. No. 1344-1973.

Advertise, Notice to Property Owners, June 14 and 21, 1973.

Hearing on Confirmation Thursday, July 5, 1973 at 3:30 p.m.

Notices to be mailed June 21, 1973.

9. Received Declaratory Resolution No. 1341-1973, for the vacation of the utility easement across the east 7 feet of the west 14 feet, except the south 7 feet of Lot No. 4, Casselwood Terrace and also the east 7 feet of the west 14 feet, except the north 7 feet and the south 40 feet of Lot No. 5, Casselwood Terrace.	Approved and adopted. A true copy of which Resolution No. 1341-1973 is incorporated by reference herein and appears in Minutes herein, under Res. No. 1341-1973. Advertise, Notice to Property Owners, June 14 and 21, 1973. Hearing on Confirmation Thursday, July 5, 1973 at 3:30 p.m. Notices to be mailed June 21, 1973.
10. Received Declaratory Resolution No. 1345-1973, for the vacation of the alley between Harrison Street and Cass Street from the south property line of the first alley south of Putnam Street to the north line of Feeders Addition.	Approved and adopted. A true copy of which Resolution No. 1345-1973 is incorporated by reference herein and appears in Minutes herein, under Res. No. 1345-1973. Advertise, Notice to Property Owners, June 14 and 21, 1973. Hearing on Confirmation Thursday, July 5, 1973 at 3:30 p.m. Notices to be mailed June 21, 1973.
11. Received Declaratory Resolution No. 1346-1973, for the vacation of the second alley north of Sixth Street from the east property line of Cass Street to the west property line of the first alley east of Cass Street.	Approved and adopted. A true copy of which Resolution No. 1346-1973 is incorporated by reference herein and appears in Minutes herein, under Res. No. 1346-1973. Hearing on Confirmation Thursday, July 5, 1973 at 3:30 p.m. Notices to be mailed June 21, 1973.

12. Received AGREEMENT For Sewer Extension between the City of Fort Wayne, Indiana, and Northeastern Enterprises, Inc. to construct a sanitary sewer that will serve Walden Subdivision, Section II.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Sewer Extensions. Ordered sent to Common Council Tuesday, June 12, 1973 at 8 p.m.
13. Received Agreement between Peoples' Buying Club, Inc. and Board of Public Works whereby the City, for and in consideration of One Dollar ($1.00) leases Old Fire Station Building #9 at 2502 Winter Street for period of one year (to June 5, 1974) to serve as a cannery, classrooms, offices and disbursement center for the Buying Club.	The Agreement with Peoples' Buying Club, Inc. is approved and receipt of $1.00 acknowledged. Said Agreement on file in Board of Public Works.
14. Pursuant to Sewer Resolution NO. 266-1972, St. Joseph River Interceptor, Section V, as shown in 58-152-5, the Board now deems it necessary to re-advertise for bids.	Advertise, Notice to Contractors, June 8 & 15, 1973. Receive Bids Tuesday, June 19, 1973 at 9 a.m. Ordered Water Pollution Control Engineer to prepare Bid Documents.
15. Pursuant to Sewer Resolution No. 267-1972, St. Joseph River Interceptor, Section VI, as shown in 58-152-6; description in said Resolution is MODIFIED to read: Beginning at a proposed manhole located approximately 70 feet North of the St. Joseph River and 120 feet South of the Martin Drain; thence, in a Northeasterly direction along the North side of the St. Joseph River a distance of 4,194 ± Lineal Feet, terminating at a proposed manhole located approximately 175 feet Northwest of the St. Joseph River and approximately 2,500 feet Northeast of Mayhew Road. Said sewer shall be 48 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the OFFICE OF THE BOARD OF PUBLIC WORKS of said City. The Board now deems it necessary to readvertise for bids.	Modification approved. Advertise, Notice to Contractors, June 8 & 15, 1973. Receive Bids Tuesday, June 19, 1973 at 9 a.m. Ordered Water Pollution Engineer to prepare Bid Documents.
16. Pursuant to Sewer Resolution No. 271-1972, St. Joseph River Interceptor, Section X, as shown in 58-154-10, the Board now deems it necessary to readvertise for bids.	Advertise, Notice to Contractors, June 8 and 15, 1973. Receive Bids Tuesday, June 19, 1973 at 9 a.m. Ordered Water Pollution Control Engineer to prepare Bid Documents.

17. Pursuant to Sewer Resolution No. 272-1972, St. Joseph River Interceptor, Section XI as shown in 58-154-11, the Board now deems it necessary to re-advertise for bids.

Advertise, Notice to Contractors, June 8 and 15, 1973.

Receive Bids Tuesday, June 19, 1973 at 9 a.m.

Ordered Water Pollution Control Engineer to prepare Bid Documents.

18. Pursuant to Sewer Resolution NO. 273-1972, St. Joseph River Interceptor, Section XII, as shown in 58-155-12; description in said Resolution is MODIFIED to read:

Beginning at a proposed manhole located on the West side of State Road #3 and approximately 50 feet North of the Rahdert Drain; thence in a Northwesterly direction along the Northerly side of the Rahdert Drain a distance of 1,487 lineal feet to a proposed manhole located on the South side of Carroll Road, and approximately 1,100 feet West of S. R. #3; thence WEst along the South side of Carroll Road a distance of 695 ± Lineal Feet to a proposed manhole located on the South side of Carroll Road and approximately 540 feet East of the G.R. & T. railroad tracks; thence North a distance of 1,355 ± Lineal Feet, terminating at a proposed manhole located near the existing Irene Byron - County Home treatment plant.

Said sewer shall be 8, 12, 18 and 21 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

The Board now deems it necessary to readvertise for bids.

Modification approved.

Advertise, Notice to Contractors, June 8 & 15, 1973.

Receive Bids Tuesday, June 19, 1973 at 9 a.m.

Ordered the Water Pollution Control Engineer to prepare Bid documents.

19. Pursuant to Sewer Resolution No. 275-1972, St. Joseph River Interceptor, Section XIV, as shown in 58-156-14, the Board now deems it necessary to readvertise for bids.

Advertise, Notice to Contractors, June 8 and 15, 1973.

Receive Bids Tuesday, June 19, 1973 at 9 a.m.

Ordered the Water Pollution Control Engineer to prepare Bid Documents.

20. Pursuant to Sewer Resolution No. 276-1972, St. Joseph River Interceptor, Section XV, as shown in 58-156-15, the Board now deems it necessary to readvertise for bids.

Advertise, Notice to Contractors, June 8 and 15, 1973.

Receive Bids Tuesday, June 19, 1973 at 9 a.m.

Ordered the Water Pollution Control Engineer to prepare Bid documents.

21. Pursuant to Sewer Resolution NO. 277-1972, St. Joseph River Interceptor, Section XVI, as shown in 58-157-16; description in said Resolution is MODIFIED to read:

Beginning at a proposed manhole located approximately 70 feet North of the St. Joseph River and approximately 120 feet South of the Martin Drain; thence, in a Northwesterly direction a distance of 810 ± Lineal Feet to a proposed manhole; thence, in a Northerly direction a distance of 3,461 ± Lineal Feet, terminating at a proposed manhole located on the North side of Leo Road and approximately 240 feet Southwest of the Martin Drain bridge culvert.

Said sewer shall be 18 and 24 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

The Board now deems it necessary to readvertise for bids.

Modification approved.

Advertise, Notice to Contractors June 8 and 15, 1973.

Receive Bids Tuesday, June 19, 1973 at 9 a.m.

Ordered the Water Pollution Control Engineer to prepare Bid documents.

22. Received Storm Sewer Maintenance Agreement between Turtle Creek and the Board of Public Works providing for installation and maintenance of storm drainage system to serve Turtle Creek Apartments.

Approved. A true copy of which Maintenance Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement.

Ordered the Water Pollution Control Engineering Department to record Agreement.

Meeting adjourned at 9:40 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, June 11, 1973 at 9 a.m.

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

Received Minutes of Meetings held Monday, June 4, 1973 at 9 a.m. and Thursday, June 7, 1973 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and sent to the Department of Finance.

3. Received private sidewalk applications.

2202 Drexel --------------- Ben Harvill
NE cor. Hayden & Winter --- Sam Smith
205 S. Seminole ----- D. J. Molargik

Approved and permits issued.

4. Received pole line application.

North side of alley south of Dewald St. at 34' west of Hoagland Ave. -------- ---------- Gen. Tele. Co.

Approved and permits issued.

5. Received driveway applications.

2015 Emma Ave. ------ Lebrato Bros.
2515 Ellen Ave. ------ R. B. Smith
2009 Emma ------ Lebrato Bros.
4320 Marquette / Kenilworth -- J.L. Thomas
205 S. Seminole Circle -- D. J. Molargik

Approved and permits issued.

6. Received street cut applications.

N. Anthony N & S / Dodge ------ NIPSCO
Dewald E / Clinton ---------- NIPSCO
Glasgow N / Randall ---------- NIPSCO
High W / St. Mary's ---------- NIPSCO
Warren S / Maumee ------------ NIPSCO
Baker W/ Clinton ------------- NIPSCO
Bluffton Rd. N / Thruway ------ NIPSCO
California & Lake inters. - Light Const.
6704 Chickasaw Dr. (bore - prkstrp) --- --------- Water Const.
1919 Forest Park Blvd. (bore - prkstrp) - Water Const.
Howell (alley) cl / Osage ----- NIPSCO
High cl / Degroff ------------ NIPSCO

Approved and permits issued.

7.	Received Contract, Guaranty and Liability Bonds of A. Grosjean & Son, in the amount of $5,958.50, prepared by the Street Engineering Department, signed by the Cincinnati Insurance Company for Curb, Sidewalk and Street Improvement Resolution No. 5635-1973.	Approved. Redevelopment Commission has paid City $4,786.00 toward this improvement.
8.	Received Partial Payment Estimate No. 2 of John Dehner, Inc., in the amount of $54,113.44 approved by the Street Engineering Department for Resolution No. 5621-1972 - for improving Ley Road.	Approved and ordered invoice of John Dehner, Inc., in the amount of $25,000.00 paid from Street Improvement Account 66-2-268 and $29,113.44 paid from the IAR & S Fund, total - $54,113.44.
9.	BIDS: Received specifications and Bid documents, prepared by the Water Engineer for furnishing of all necessary materials, equipment and labor for the installation of 2235 ± feet of 12 inch ductile iron water main and its appurtenances on the Old Decatur Road known as South Towne Square Apartments pertaining to WATER CONTRACT No. 7307.	Approved. Advertise, Notice to Contractors, June 19 & 26, 1973. Receive Bids Tuesday, July 10, 1973 at 9 a.m.
10.	Permission was granted to Pam Wandmacher, 1922 Clarmarnic, to barricade Charter Lane between Mathias and Clarmarnic on Saturday, June 9, 1973 from 10:00 a.m. to Midnight. PURPOSE: Block Party.	Approved and permit was granted.
11.	Received invoice of John Dehner, Inc., in the amount of $2,283.93, covering Emergency Sewer Repair in the 1200 block of Spy Run Avenue. Said repairs, performed in February, 1973, could not be handled by Water Pollution Control Maintenance Department.	Approved. Ordered City Utilities to pay invoice of John Dehner, Inc. from the Water Pollution Control Utility Fund.
12.	Received invoice of John Dehner, Inc., in amount of $1,184.18, covering Emergency Sewer Repair in alley between the 1400 block of Columbia and Edgewater Avenues. Said repairs, performed in February 1973, could not be handled by Water Pollution Control Maintenance Department.	Approved. Ordered City Utilities to pay invoice of John Dehner, Inc. from the Water Pollution Control Utility Fund.

13. Received invoice of John Dehner, Inc., in amount of $1,897.92, covering Emergency Sewer Repair in alley north of State and Rolston Streets. Said repairs, performed in January, 1973, could not be handled by Water Pollution Control Maintenance Department.	Approved. Ordered City Utilities to pay invoice of John Dehner, Inc., from the Water Pollution Control Utility Fund.
14. Received a request from Northern Indiana Public Service, 1501 Hale Avenue, for permission to close Tennessee Avenue from Spy Run to Griswold on Monday, June 11, 1973 from 8:00 a.m. to 3:00 p.m. PURPOSE: To tie 8" main.	Approved and permit was issued.
15. Received a petition for the paving of alley between Glenwood Avenue and Kenwood Avenue from the east property line of Leroy Avenue to west property line of Carew Street, to a width of 10 feet.	Ordered Street Engineering Department to check percentage of resident property owners on petition and, if sufficient, prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.
16. Received a petition for the paving of Gaywood Drive from the south property line of Southview Drive to the south property line of Belmont Drive, to a width of twenty seven (27) feet including curbs. Petitioners request that no other material than 6" Plain Concrete be used on this project.	Ordered Street Engineering Department to check percentage of resident property owners on petition and, if sufficient, prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.
17. Received inspection report from the Water Pollution Control Engineering Department for Sanitary Sewer in Cambridge Square, Phase II.	Approved. Ordered acceptance letter written.

Meeting adjourned at 9:25 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, June 14, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

2311 Brooklyn ------------- Chas. Leffers Const.
2314 Brooklyn ------------ Chas. Leffers Const.
1932 kenwood at Buena Vista -- Gene Kunberger
2719 Lillie -------------- Valentine Const. Co.

4. Received driveway applications.

Approved and permits issued.

2901 Brooklyn Ave. -------- Gene Kunberger
6417 Melville Dr. - Hubertz-Hilker Homes, Inc.
1706 Pemberton ------------- Molargik Const.
3427 Regis Dr. --- Hilker-Hubertz Homes, Inc.

5. Received street cut applications.

Approved and permits issued.

Anthony Blvd. -------------- James J. McCarron
Carlton Court ---------------------- NIPSCO
Cambridge N/Yale (2)----------------- NIPSCO
Cambridge N / Irene -------------- NIPSCO
Cass (alley) ------------------------ NIPSCO
6811 Chickasaw Dr. (prkstrp) --- Water Const.
Clara W / Santa Rose -------------- NIPSCO
Decatur Road / Tillman Rd. intersection ---
---------- Nobis-Westropp Const. Co.
2435 Engle Rd. ---------------- Earth, Inc.
4845 Evard Rd. (prkstrp) ------- Water Const.
4218 Encino Dr. (bore - prkstrp) -Water Const.
Grove W/Eastbrook -------------- NIPSCO
Howell (alley) E / Rumsey ------- NIPSCO
High E / Degroff ---------------- NIPSCO
Juliette N / Hale ---------------- NIPSCO
Leesburg Road S / Spring ------- NIPSCO

Leesburg Road S / Lansing ---------- NIPSCO
4606 Lake (bore - prkstrp) ------Water Const.
Leesburg N / New York, Chicago
and St. Louis Rail Rd.------ NIPSCO
L. Huntington Rd. W / Fernwood ---- NIPSCO
Lake and Pemberton ---------------- NIPSCO
Lynn W / Woodward Ave. ----------- NIPSCO
Murray E / Clinton St. -------------- NIPSCO
Melville 6417 --------------------- NIPSCO
McArthur N/ Baer Field Road ------- NIPSCO
5008 Nevada (bore - parkstrp) -- Water Const.
Old Decatur Rd. --------------- Earth Const.
Pauline S / Taylor ----------------- NIPSCO
Russell (alley) / Russell ---------- NIPSCO
Regis 3427 ------------------------- NIPSCO
3816 E. Rudisill (bore -
prkstrp) ---- Water Const.
Randalia N / Vermont ------------- NIPSCO
2005 S. Joe Center Rd. (prkstrp) Water Const.
W. State W / N. Highlands -------- NIPSCO
W. State W / Tyler ----------------- NIPSCO
SW cor. W. State and Tillie -------- NIPSCO
Sprunger N / Ellen ---------------- NIPSCO
Sprunger S / Ellen ---------------- NIPSCO
Spring W / Steup Ave. --------------- NIPSCO
Stanford N cl / Yale --------------- NIPSCO
W. State E / Cass ------------------ NIPSCO
W. State W / Wells ----------------- NIPSCO
W. State E / Sherman ---------------- NIPSCO
W. State W / St. Mary's ------------- NIPSCO
W. State E / Poinsette -------------- NIPSCO
W. State E / Meridian ---------------- NIPSCO
W. State (alley) W / Cass ------------ NIPSCO
W. State E / Edith ------------------ NIPSCO
Spring & Tyler cor. ------------------ NIPSCO
2021 Skyhawk Dr. (prkstrp) --- Water Const.
E. State E / Beacon --------------- NIPSCO
E. State W / Ralston -------------- NIPSCO
E. State W / Randalia --------------- NIPSCO
E. State E / Santa Rosa -------------- NIPSCO
4111 Sheraton Dr. (prkstrp) ---Water Const.
Thompson S / Huestis North. Ind. Pub.
Thompson N / Wildwood Court North. Ind. Pub.
Thompson S / Maple ----------------- NIPSCO
Tillman Road intersection / Decatur Rd. ----
----- Nobis-Westropp Const Co.
Washington Center Rd. 1313 NIPSCO
3610 Whetstone Dr. (bore - prkstrp) ------
----------- Water Const.
3604 Whetstone Dr. (bore - prkstrp) ----
----------- Water Const.

6. Received Declaratory Resolution No. 1347-1973, final plans and property ownership list, prepared by the Street Engineering Department for the vacation of the east 150 feet of the first alley south of Creighton Avenue lying between Hanna Street and Weisser Park Avenue.	Approved and adopted. A true copy of which Resolution No. 1347-1973 is incorporated by reference herein and appears in Minutes herein, under Resoltuion No. 1347-1973. Advertise, Notice to Property Owners, June 22 and 29, 1973. Hearing on Confirmation Thursday, July 19, 1973 at 3:30 p.m. Notices to be mailed June 29, 1973.

7. Received a request from Curdes Avenue Missionary Church, Walter Jacoby, 2401 Curdes Avenue, for permission to hold a parade on Saturday, June 16, 1973 from 10:30 am to 11:30 a.m. Route to be traveled: Curdes Ave., Kenwood, Glenwood, Vance, Hazelwood, Santa Rosa, Lynn, Dodge, Clara, Charlotte, Leroy, Woodward, Buena Vista Drive, Lawndale Drive and Curdes Avenue. PURPOSE: Advertise Vacation Bible School.	Approved and permit issued.
8. Received a request from Kent Stier, 229½ Center Street, for permission to park three cars on the sidewalk beside of the B.V. night club on the Brackenridge side beginning Monday, June 18, 1973 from Noon to 4:00 p.m. PURPOSE: Unloading equipment.	Approved and permit issued.
9. Received a request from Heavy Construction Co., Inc., 6910 Penmoken Drive, for permission to close Coombs Street between Edgewater and the southern end of the Combs Street Bridge beginning Monday, June 18, 1973 at 8:00 a.m. to Friday, June 29, 1973 at 5:00 p.m. PURPOSE: Repair work on Coombs Street Bridge.	Approved and permit issued.
10. Received a request for permission to hold a parade on Saturday, June 30, 1973 from Three Rivers Velo Sports, 10580 Johnson Road, starting point - parking lot - South Town Mall. Route to be traveled: South Anthony from Southtown Mall to Ferguson Road to Winchester Road to Lower Huntington Road to Tillman Road to Southtown Mall. 300 bicycles and 300 participants.	Approved and permit issued.
11. Received a request from Mrs. David Fruth, 816 Prange Drive, for permission to block the 800 block of Prange Drive between Tacoma and Indiana Avenue beginning Friday, June 15, 1973 from 5:30 p.m. to 9:30 p.m. PURPOSE: Block Party.	Approved and permit issued.

Meeting adjourned at 9:10 a.m.

William S. Williams

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, June 18, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L, Bonar, W. G. Williams
Edna I. Smith, Clerk

R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

   Approved.

2. Received payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. Received private sidewalk permit applications.

   Approved and permit issued.

   5016 Mt. Vernon ---------------- J. L. Thomas Const.
   903 Pasadena ---------------- J. L. Thomas Const.
   2929 Weisser Park ------------- J. L. Thomas Const.

4. Received driveway applications.

   Approved and permit issued.

   Across from 3002 Brooklyn ----- Hipskind Asphalt Corp.
   5330 S. Calhoun St. ------------- Harold W. Ranes
   1150 Fairview Ave. ------------ Brooks Const. Co., Inc.
   903 Pasadena ------------------ J. L. Thomas Const.
   East End of Wood St. ----------- Brooks Const. Co., Inc.
   2218 Short St. ------------------ Heiser & Sons

5. Received street cut applications.

   Approved and permit issued.

   2802 Ashcroft --------------------------- NIPSCO
   Crescent Ave. - Glenwood to Crescent,
   Anthony to alley So. of Florida ------ NIPSCO
   Lafayette N / Wallace (alley) ----------- NIPSCO
   Leesburg Rd. S/ Lansing ----------------- NIPSCO
   Leesburg Rd. N / Leesburg Rd. ------------ NIPSCO
   W. Main E / Davis ------------------------ NIPSCO
   Ontario - Brooklyn to Paul St.------------ NIPSCO
   Parkside S / cl of W. Louisdale --------- NIPSCO
   514 Southview (bore - parkstrp)----- Water Const.
   Washington Road W cl of Ardmore --------- NIPSCO
   Wallace (alley) E. of Lafayette St. ------ NIPSCO

5. Received Street Paving, Sidewalks, and Street Lighting Improvement Resolution No. 5636-1973, final plans. estimate, specifications and property ownership list, prepared by the Street Engineering Department for improving Dalewood Drive from the west property line of Elwood Drive to the east property line of Chancellor Drive.	Approved and adopted. A true copy of which Resolution NO. 5636-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 5636-1973. Advertise, Notice to Property Owners, June 22 & 29, 1973. Hearing on Confirmation Thursday, July 19, 1973 at 3:30 p.m. Notices to be mailed June 29, 1973.
6. Permission was granted to Wayne Cooley, 102 Landmark Building, to close the alley South of Wayne Street running East off Clay for one week beginning Friday, June 15, 1973 to Friday, June 22, 1973. PURPOSE: Erection of Building.	Permit was issued.
7. Received a request from Mizpah Shrine Temple, 407 W. Berry Street, for permission to hold a parade on July 10, 1973, Tuesday; time 8:45 p.m. to 9:30 p.m.; starting point Van Buren and Wayne Streets - East on Wayne to Calhoun; North to Berry to Court to Main to Ewing Streets. PURPOSE: Three Rivers Festival.	Approved and permit issued.
8. Received a request from Tuberculosis Association of Allen County, 802 W. Wayne Street, for permission to park the X-Ray Cruiser on the east side of the Court Street first two spaces north of Berry Street each Friday from 10:00 a.m. to 4:00 p.m. starting July 6, 1973, July 13, August 10, August 17, August 24, August 31, September 7, September 14, September 21, and September 28, 1973. PURPOSE: Park X-Ray Cruiser.	Approved and permit issued.
9. Received Partial Payment Estimate No. 1 of Nobis-Westropp Construction Co., Inc. in the amount of $55,125.00 covering work performed on Beacon - Vance - Hobson Road Feeder Main Phase I, Contract No. 73-XP-1. (Invoice No. 1078).	Approved. Ordered invoice of Nobis-Westropp Construction Co., Inc. in the amount of $55,125.00 paid by City Utilities from the Water Utility Fund.

10. Received Memorandum of Agreement between the Board of Commissioners of Allen County and the Board of Public Works covering the construction of the California Road between Hillegas Road and State Road #33.	Approved. A true copy of which Memorandum of Agreement is incorporated by reference herein and appears in Minutes herein, under Memorandum of Agreement.
11. Received Plat, Protective Restrictions, Covenants and Limitations for Imperial Village Section I, approved and submitted by City Plan Department.	Approved.

Meeting adjourned at 9:25 a.m.

William S. Williams
Ronald L. Bonar
BOARD OF PUBLIC WORKS

ATTEST:
Edna I. Smith
Edna I. Smith, Clerk

Tuesday, June 19, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meetings held Monday, June 11, 1973 at 9 a.m.; Thursday, June 14, 1973 at 9 a.m.; also Monday, June 18, 1973 at 9 a.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

RECEIVE BIDS:

3. Sewer Improvement Resolution No. 266-1972 - St. Joseph River Interceptor Sewer Division V - Robinson Park to Martin Ditch.

JOHN DEHNER, INC. ---- $837,575.23

EARTH, INC. ---------- $869,065.30

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

RECEIVE BIDS:

4. Sewer Improvement Resolution NO. 267-1972 - St. Joseph River Interceptor Sewer Section VI (MODIFIED) - Martin Ditch to Cedar Creek Township Line.

JOHN DEHNER, INC. ---- $235,873.32

EARTH CONST. & ENGR. INC. -- $247,581.80

NOBIS-WESTROPP CONST. CO. --- $189.825.00

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

RECEIVE BIDS:

5. Sewer Resolution NO. 271-1972 - St. Joseph River Interceptor Section X - Robinson Park to S. R. #327.

JOHN DEHNER, INC. --- $628,831.19

EARTH CONST. & ENGR. CO. --- $627,987.00

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

6. RECEIVE BIDS:

Sewer Resolution NO. 272-1972 - St. Joseph River Interceptor, Section XI: S.R. #327 to S. R. #3.

JOHN DEHNER, INC. ---	$408,199.93
BERCOT, INC. --------	$386,792.57

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

7. RECEIVE BIDS:

Sewer Resolution No. 273-1972 - St. Joseph River Interceptor, Section XII (MODIFIED) - S. R. #3 to Bethel Road.

JOHN DEHNER, INC. ---	$204,277.30
EARTH CONST. & ENGR. CO. ---	$239,914.50
HIPSKIND ASPHALT CORP. -----	$182,785.70

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

8. RECEIVE BIDS:

Sewer Resolution No. 275-1972 - St. Joseph River Interceptor, Section XIV - Robinson Park to Dupont Road.

JOHN DEHNER, INC. ---	$361,354.40
EARTH CONST. & ENGR. CO. -----	$360,432.00

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

9. RECEIVE BIDS:

Sewer Resolution No. 277-1972 - St. Joseph River Interceptor, Section XVI - St. Joseph River to Diebold Road.

JOHN DEHNER, INC. ------	$106,160.28
EARTH CONST. & ENGR. CO. ---	$107,887.00
HIPSKIND ASPHALT CORP. -----	$ 98,638.80

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

10. RECEIVE BIDS:

Sewer Resolution NO. 276-1976 - St. Joseph River Interceptor, Division XV - Dupont Road to Pine Valley.

JOHN DEHNER, INC. ---	$330,656.74
EARTH CONST. & ENGR. CO. ---	$310,943.20
HIPSKIND ASPHALT CORP. ---	$296,193.00
NOBIS- WESTROPP CONST. CO. ---	$298,738.30

Referred to the Water Pollution Control Engineering Department for tabulation and report.

Tentative Award Thursday, June 21, 1973 at 3:30 p.m.

11. Received a request from Wayne V. Cooley, Inc., 102 Landmark Building, for permission to barricade the sidewalk in front of 502 E. Wayne (Alter Brothers) beginning Tuesday, June 19, 1973 at 8:00 a.m. to Friday, June 22, 1973 at 5:00 p.m. PURPOSE: Put roof on building.	Approved and permit issued.
12. Received inspection report from the Street, Sidewalk and Lighting Engineering Departments and Guaranty Bonds of Ralph L. Shirmeyer, Inc. in the amounts of $5,250.00, $875.00 and $1,029.00 respectively, signed by the American States Insurance Company for Mill Run Drive in Mill Run Addition, Phase I.	Approved. Ordered acceptance letter written.

Meeting adjourned at 9:25 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, June 21, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
1. HEARING ON CONFIRMATION Declaratory Resolution No. 1340-1973 for the vacation of Glenwood Avenue from the west right of way line of Hobson Road to a point 292.6 feet west, said point also being the division line between Rosalie Park Addition and Arnold's Suburban Addition, said additions are inclusive to the City of Fort Wayne, Indiana.	CONFIRMED. Ordered Street Engineering Department to prepare Assessment Roll of Benefits and Damages.
2. HEARING ON CONFIRMATION Street Improvement Resolution NO. 5633-1973 for improving Clermont Avenue from the east property line of Hessen Cassel Road to the west property line of Wayne Trace.	Continued to Thursday, July 5, 1973 at 3:30 p.m. Time up to receive remonstrance Monday, July 2, 1973 at 5:00 p.m.
3. HEARING ON CONFIRMATION Alley Improvement Resolution No. 5634-1973 for improving the alley between Brooklyn Avenue and Westview Avenue from the north property line of Covington Road to the south property line of Carlton Avenue.	Continued to Thursday, July 5, 1973 at 3:30 p.m. Time up to receive remonstrance Monday, July 2, 1973 at 5:00 p.m.

4. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 266-1972 for St. Joseph River Interceptor, Section V - Robinson Park to Martin Ditch.	Tentative Award made to John Dehner, Inc. for their bid of $837,575.23 contingent upon approval of EPA and subject to Councilmanic approval.
5. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 267-1972 for St. Joseph River Interceptor, Section VI (MODIFIED)- Martin Ditch to Cedar Creek Township Line.	Tentative Award made to Nobis-Westropp Const., Co. for their bid of $189,825.00 contingent upon approval of EPA and subject to Councilmanic approval.
6. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 271-1972 for St. Joseph River Interceptor, Section X - Robinson Park to State Road #327.	Tentative Award made to Earth Const. & Engr. Company for their bid in the amount of $627,986.90 contingent upon approval of EPA and subject to Councilmanic approval.
7. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 272-1972 for St. Joseph River Interceptor, Section XI - State Road #327 to State Road #3.	Tentative Award made to Bercot, Inc. for their alternate bid of $386,338.20 contingent upon approval of EPA and subject to Councilmanic approval.
8. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 273-1972 for St. Joseph River Interseptor, Section, Section XII (MODIFIED) - State Road #3 to Bethel Road.	Tentative Award made to Hipskind Asphalt Corporation for their alternate bid of $176,694.50 contingent upon approval of EPA and subject to Councilmanic approval.
9. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 275-1972 for St. Joseph River Interceptor, Section XIV - Robinson Park to Dupont Road.	Tentative Award made to Earth Const. & Engr. Company for their bid of $360,432.00 contingent upon approval of EPA and subject to Councilmanic approval.

10. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 276-1972 for St. Joseph River Interceptor, Section XV - Dupont Road to Pine Valley.

Tentative Award made to Hipskind Asphalt Corp. for their alternate bid of $287,608.60 contingent upon approval of EPA and subject to Councilmanic approval.

11. Received Tabulation and Recommendation prepared by the Water Pollution Control Engineering Department for Sewer Resolution No. 277-1972 for St. Joseph River Interceptor, Section XVI (MODIFIED) - St. Joseph River to Diebold Road.

Tentative Award made to Hipskind Asphalt Corp. for their alternate bid of $96,503.30 contingent upon approval of EPA and subject to Councilmanic approval.

12. Received driveway applications.

Approved and permits issued.

8000 Baer Road ----- Gene Kunberger Assoc.
2828 Hazelwood Ave. -- Delagrange Homes, Inc.
1932 Kenwood Ave. ---- Gene Kunberger Assoc.
1626 Lakewood Dr. ---- Lebrato Bros., Inc.
1629 Lakewood Dr. ---- Lebrato Bros., Inc.
1324 Pine Valley Dr.-- R. D. Witmer
1428 Swinney Ave.(ALLEY) - Dannie Smith

13. Received pole line applications.

Approved and permits issued.

3600 to 3100 Allegany Ave. ----- City Light
Calhoun Street, east side of Creighton north to the railroad tracks ------City Utilities
East side of Clinton Street from Oakdale south to McKinnie ----------City Utilities
Lafayette Street east side, Pontiac south to McKinnie Street-----------City Utilities

14. Received private sidewalk applications.

Approved and permits issued.

629 Hendricks ------ E. P. Holliday
1236 Lillie -------- Mark Savage
1413 McCulloch ------ Samuel Smith
1219 Pemberton ------ Park Board
1848 Kensington ----- Ned Keener Const.
4001 Warsaw ----- E. P. Holliday

15. Received street cut applications.

Approved and permits issued.

716 Archer ------------------ NIPSCO
422 W. Baker ---------------- NIPSCO
330 W. Baker (alley)---------- NIPSCO
434 Bass -------------------- NIPSCO
225 W. Berry (alley)---------- NIPSCO
1360 Bethany Lane ------------ NIPSCO
6150 Bluffton Rd. ------------ NIPSCO
1323 Boone St. (alley) ------ NIPSCO
3618 Bowser (alley) --------- NIPSCO
421 E. Brackenridge (alley) -- NIPSCO

310 & 312 W. Brackenridge (alley) -NIPSCO
6612 & 6618 Bradbury -------- NIPSCO
1715 Brown ----------------- NIPSCO
230 E. Butler --------------- NIPSCO
5010 Cloverbrook (prkstrp) - Water Const.
Covington Rd. 2906 - Hamilton Hunter
3420 Debeny DR. (bore - prkstrip) --
------------ Water Const.
914 Delaware (alley) ------- Water Mntce.
Dewald E/Clinton ------------ NIPSCO
6311 Donna Dr. -------------- NIPSCO
2115 Harrison (alley) R/O --Gen. Tele. Co.
2811 Hazelwood -------------- NIPSCO
715 Jackson (alley) ---------- NIPSCO
Leesburg Rd. across from Stnd. Oil--NIPSCO
1208 McClellan -------------- NIPSCO
2900 blk. New Haven (street)-Water Const.
3745 Pineview Dr. (bore - prkstrp)--
---------- Water Const.
4421 Sanford Lane -----------Water Const.
1211 Van Buren (alley) ------- NIPSCO
1209 Van Buren -------------- NIPSCO
7603 Verona Dr. (bore -
prkstrp) ----Water Const.
415 Wallace ----------------- NIPSCO
6521 Winter St. -------------- NIPSCO
3126 Woodrow ---------------- NIPSCO

16. Received Street Improvement Resolution No. 5637-1973, final plans and property ownership list, prepared by the Street Engineering Department for improving Fisher Street from the east property line of Reed Street to the west property line of Winter Street.	Approved and adopted. A true copy of which Resolution No. 5637-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5637-1973. Advertise, Notice to Property Owners, June 29, 1973 and July 6, 1973. Hearing on Confirmation Thursday, July 19, 1973 at 3:30 p.m. Notices to be mailed July 6, 1973.
17. Received Roadway and Sanitary Sewer Easement Dedication Plat prepared by Jackson Realty and Builders, Inc., and approved by the City Plan Commission for Turtle Creek Apartments, Phase III.	Approved.
18. Received inspection report from the Street Engineer and invoice of A. Grosjean and Son for Resolution 5627-1972, Curb and Sidewalk at West State and Jesse Avenue.	Approved. Ordered invoice of A. Grosjean and Son in the amount of $7,716.75 paid from the Curb and Sidewalk Fund 66-2-264.

19. Received invoice No. 19 of Henry B. Steeg & Associates, Inc., for engineering services on Storm Water Demonstration Grant Project EPA No. 11020 GYU as per contract of June 2, 1971 for the amount of $1,342.53.	Approved. Ordered City Utilities to pay Invoice No. 19 of Henry B. Steeg & Associates, Inc., for $1,342.53 from the Water Pollution Control Utility Fund.
20. Received Partial Payment Estimate No. 1, in the amount of $17,208.90, for Bercot, Inc. covering work performed on Water Contract No. 7303, - U.S. 30 By-pass.	Approved. Ordered City Utilities to pay Bercot, Inc. $17,208.90 from the Water Utility Fund.
21. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Northeastern Construction Company with Guaranty Bond in the amount of $2,500.00 signed by Auto-Owners (Mutual) Insurance Company for Sanitary Sewer to Serve Valley Meadows, Section II.	Approved. Ordered acceptance letter written.
22. Received Partial Payment No. 7 in the amount of $72,569.17 for Bowen Engineering Corporation covering work completed on the site for the period of May 1 to May 31, 1973 for Sewer Resolution No. 279-1972 - Storm Water Treatment Facility, Section V - E.P.A. No. 11020 GYU.	Approved. Ordered City Utilities to pay $72,569.17 to Bowen Engineering Corporation from Water Pollution Control Utility Fund. Also, pay to Bowen Engineering Corporation Escrow Account at Indiana Bank & Trust Company retainage in the amount of $8,063.23 from the Water Pollution Control Utility Fund.
23. Permission was granted to Northern Indiana Public Service, 1501 Hale Avenue, for closing the alley north of Cottage, West of Indiana to Beaver beginning Tuesday, June 19, 1973 through Friday, June 22, 1973 from 8 a.m. to 5 p.m. PURPOSE: Install Main	Approved and permit was issued.
24. Permission was granted to Pettigrew & Sons, Inc. 333 Ley Road, to close the alley running North and South parallel to Calhoun Street for 48 hours beginning June 19, 1973 thru June 20, 1973 from 7 a.m. to 5 p.m. PURPOSE: Put Roof on Kaplans Store.	Approved and permit was issued.

25.	Permission was granted to Northern Indiana Public Service Company, 1501 Hale Avenue, to barricade Indiana Avenue at the alley north of Cottage beginning Wednesday, June 20, 1973 from 8:00 a.m. to 5:00 p.m. PURPOSE: Install Main.	Approved and permit was issued.
26.	Received a request from Dean Baughman, 4315 Pembroke Lane, for permission to block the 4300 block of Pembroke at Indiana to Westover beginning Friday, June 22, 1973 from 5:00 p.m. to 11:00 p.m. PURPOSE: Block Party.	Approved and permit issued.
27.	Received City Utilities Purchase Order 0831, dated June 14, 1973, to Graybar Electric Company in the amount of $8,233.00 for Lamps for Light Construction Warehouse.	Approved Purchase Order 0831, dated June 14, 1973, in the amount of $8,233.00. Ordered sent to the Common Council Tuesday, June 26, 1973 at 8 p.m.
28.	Received City Utilities Purchase Order 0832, dated June 15, 1973, to Union Metal Mfg. Company in the amount of $19,296.50 for concrete poles for Light Construction Warehouse.	Approved Purchase Order 0832, dated June 15, 1973, in the amount of $19,296.50. Ordered sent to the Common Council Tuesday, June 26, 1973 at 8 p.m.
29.	Received City Utilities Purchase Order 0869, dated June 14, 1973, to Preferred Products Sales Company in the amount of $32,655.75 for Lighting Poles for Light Construction Warehouse.	Approved Purchase Order 0869, dated June 14, 1973, in the amount of $32,655.75. Ordered sent to the Common Council Tuesday, June 26, 1973 at 8 p.m.
30.	Received City Utilities Purchase Order 0871, dated June 14, 1973, to General Electric Company in the amount of $85,295.00 for Luminaries for Light Construction Warehouse.	Approved Purchase Order 0871, dated June 14, 1973, in the amount of $85,295.00. Ordered sent to the Common Council Tuesday, June 26, 1973 at 8 p.m.
31.	Received the following bids from the Purchasing Agent covering Aluminum Pedestal Poles for Light Construction Warehouse: GENERAL ELECTRIC SUPPLY CO. ----$51,830.00 GRAYBAR ELECTRIC COMPANY -------$51,631.00 GRIFFIN ELECTRIC CO. -----------$51,850.40 WESTINGHOUSE ELEC. SUPPLY CO. --$51,786.00	The Bid of Graybar Electric Company was accepted under Purchase Order No. 0868, dated June 21, 1973, for the amount of $51,631.00. Ordered sent to the Common Council Tuesday, June 26, 1973 at 8 p.m.

32. Received a request from WLYV, 925 Anthony Wayne Bank Building, for permission to have a ramp and river permit for Sunday, July 8, 1973 from 9:00 a.m. to 5:00 p.m.
PURPOSE: Annual Raft Race.

Approved and permit issued.

33. Received the following Invitational bids from the Purchasing Agent covering the delivery of one - Item 3A- Utility Body; one - Item 5A - Utility Body; one - Item 6A - Crew Cab Body; and one - Item 8A - Dump Body for City Utilitites Departments.

ERNST TRUCK EQUIPMENT:

Item 3A ------ $1,417.80
Item 5A ------ $1,220.00
Item 6A ------ $7,192.00
Item 8A ------ $2,630.00

FRUEHAUF CORPORATION

Item 8A -------$3,380.00

Through the recommendation of the Purchasing Agent, the bid of Ernst Truck Equipment was accepted under Purchasing Order No. 0987, dated June 21, 1973, in the amount of $12,459.80;sent to the Common Council Tuesday, June 26, 1973 at 8:00 p.m.

34. Received the following Invitational bids from the Purchasing Agent covering the delivery of two - Item #1 Panel Wagons for City Utilities Departments:

INTERNATIONAL HARVESTER --------- $9,180.58

DEHAVEN CHEVROLET --------------- $9,251.18

Through the recommendation of the Purchasing Agent, the bid of International Harvester Company was accepted under Purchase Order NO. 0988, dated June 21, 1973, in the amount of $9,180.00.

Ordered sent to the Common Council Tuesday, June 26, 1973 at 8:00 p.m.

35. Received the following Invitational bids from the Purchasing Agent covering the delivery of two - Items 2 and 3 - pick up trucks; two - Item 4 - truck cab and chassis; one - Item 5 - cab and chassis; one - item 6 - cab and chassis; one - Item 7 - sedan; one - Item 8 - axle, wheels, cab and chassis; and two - items 9 and 10 - pick-up trucks:

Through the recommendation of the Purchasing Agent, the bids of Company listed below were accepted under Purchase Order No. 0989, dated June 21, 1973, in the amount of $38,600.52:

Ordered sent to the Common Council Tuesday, June 26, 1973 at 8:00 p.m.

Item #2

INTERNATIONAL HARVESTER	$3,101.05
DEHAVEN CHEVROLET	$6,276.12
ALLEN COUNTY MOTORS	$3,310.00

Item #3

INTERNATIONAL HARVESTER	$2,969.05
ALLEN COUNTY MOTORS	$3,193.00

Item #4

INTERNATIONAL HARVESTER	$5,053.06
DEHAVEN CHEVROLET	$4,560.12
ALLEN COUNTY MOTORS	$4,880.00

Item #5

INTERNATIONAL HARVESTER	$3,176.53
ALLEN COUNTY MOTORS	$3,170.00

Item #6

GENERAL TRUCK SALES	$4,487.50
INTERNATIONAL HARVESTER	$5,218.92
ALLEN COUNTY MOTORS	$4,526.00

Item #7

DEHAVEN CHEVROLET	$2,952.90
ALLEN COUNTY MOTORS	$2,720.00

Item #8

GENERAL TRUCK SALES	$10,920.00
INTERNATIONAL HARVESTER	$11,754.08
ALLEN COUNTY MOTORS	$10,940.00

Items #9 and #10

INTERNATIONAL HARVESTER	$5,502.10
DEHAVEN CHEVROLET	$5,996.12
ALLEN COUNTY MOTORS	$5,861.52

* Item #2 -Allen County Motors - $3,310.00

* Item #3 -Allen County Motors - $3,193.00

* Item #4 -Allen County Motors - $4,880.00

Item #5 -Allen County Motors - $3,170.00

* Item #6 -Allen County Motors - $4,526.00

Item #7 -Allen County Motors - $2,720.00

* Item #8 - Allen County Motors-$10,940.00

* Items # 9 and #10 - Allen County Motors ----------- $5,861.52

* Due to delivery date difference or items not meeting specifications the low bid was not accepted.

36. Request was received from the Park Department for permission to barricade the curb lane on the east side of Calhoun between Berry and Wayne beginning Monday, June 25, 1973 from 8:00 a.m. to 4:00 p.m.
PURPOSE: Placement of planters

Approved and permit issued.

37. Permission was granted to Northern Indiana Public Service Company, 1501 Hale Avenue, to barricade the alley between Maiden Lane and Webster and Main and Berry beginning Friday, June 22, 1973 at 3:30 p.m. to Monday, June 25, 1973 at 7:30 p.m.
Purpose: Gas Leak.

Approved and permit issued.

38. Received a request from Gary Griffin, House Mover, 5007 Fairfield, for permission to move a house from 1210 Cresecent to 1012 Delaware using the following route: North on Cresecnt, west on Forest, south on Baer, east on Delaware beginning Tuesday, June 26, 1973 from 9:00 a.m. to 12:00 noon.
Purpose: Moving of House.
(Moving Permit Received)

Approved and permit issued.

39. Received Agreement between Turnbell-Green and Associates, Inc., and the City of Fort Wayne covering engineering study for improvements to six Railroad - Street Grade Crossings.

Approved. A true copy of which agreement is incorporated by reference herein and appears in Minutes herein, under Agreement.

40. Received Agreement between the City of Fort Wayne and Holy Trinity Greek Orthodox Church of Fort Wayne, Inc. for permission to construct a building over sewer easement located on South Anthony Boulevard.
(Recorded NO. 73-15329 dated June 25, 1973)

Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement.

Meeting adjourned at 5:00 p.m.

Ronald L Bonar
BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith
Edna I. Smith, Clerk

Tuesday, June 26, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. S. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
Received Minutes of Meetings held Tuesday, June 19, 1973 at 9:00 a.m. and Thursday, June 21, 1973 at 3:30 p.m.	
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk permit applications. 3120 Broadway ------------ D. J. Molargik 3013 Warsaw -------------- L. H. Kanning 901 W. Wilt -------------- L. H. Kanning 230 W. Williams ----------- Ned Keener	Approved and permit issued.
4. Received pole line applications. Southeast corner of Bayer and Shore Drive. --------- City Light 100 West Concord Lane --- City Light 3300 & 3400 Smith St. --- City Light	Approved and permit issued.
5. Received driveway permit applications. 5401 Fairfield / Belmont -- Driveway Pavers, Inc. 2730 Lofty Dr. ------------ Wayne V. Cooley, Inc. 3130 Parnell Ave. --------- Emil P. Holliday	Approved and permit issued.
6. Received street cut applications. 935 Anthony ----- Northside Plbg. & Htg. Co. Billington Place / Werling Dr. -- Light Const. 1130 Camp Allen (alley) ------------- NIPSCO 2714 Carew -------------------------- NIPSCO 1614 Circle Dr. --------------------- NIPSCO Creighton E. of Lafayette ----------- NIPSCO 1920 Curdes (alley) ----------------- NIPSCO	Approved and permit issued.

1767 & 1745 Hale ------------------ NIPSCO
811 High ---------------------------- NIPSCO
1659 High -------------------------- NIPSCO
Industrial & Ley - SW cor. --------- NIPSCO
6210 Kiwanis Dr. (bore - prkstrp) ----Water Const.
6128 Kiwanis Dr. (bore - prkstrp) ----Water Const.
3716 Knoll (prkstrp) -----------Water Const.
4834 Mamie Dr. (bore -prkstrp) - Water Const.
5311 Merchandise Dr. (bore - prkstrp) ------------Water Const.
4707 Ottawa Dr. (bore -prkstrp)- Water Const.
4856 Reed Road (bore - prkstrp)- Water Const.
3501 Rolston ----------------------- NIPSCO
6821 Selkirk Dr. (bore - prkstrp)-Water Const.
6822 Selkirk Dr. (prkstrp) -----Water Const.
6825 Selkirk Dr. (bore -prkstrp)-Water Const.
6826 Selkirk Dr. (prkstrp) ------Water Const.
6830 Selkirk Dr. (bore - prkstrp)-Water Const.
3726 Sherman ----------------------- NIPSCO
4722 Tirol Pass (bore - prkstrp)-Water Const.
1214 Van Buren (alley) ------------- NIPSCO
Willoughby Place and Werling Dr.--Light Const.
1211 Wilt St. ---------------------- NIPSCO

7.	Received a petition for the paving of alley between Adams Street and Turpie Street from the south property line of Manford Street to the north property line of Evans Street, to a width of ten feet.	Ordered Street Engineering Department to check percentage of resident property owners on petition and, if sufficient, prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.
8.	Received a petition for the installation of a water line to serve Ludwig Road from Rodenbeck Drive to Highway #3.	Ordered Water Engineer to prepare plans and all details necessary for the improvement. Board Order No. 145-1973 issued.
9.	Received a petition for the installation of a water line to serve Pelham Drive from Rodenbeck Drive to Sharon Drive.	Ordered Water Engineer to prepare plans and all details necessary for the improvement. Board Order No. 146-1973 issued.
10.	Received Water Contract NO. 7308, prepared and approved by the Water Engineer, between the Fort Wayne Water Utility and Ben Bunt, Inc., on Selkirk Drive.	Approved.
11.	Received Change Order No. 1 of A. Grosjean & Son in the amount of $676.00 prepared and approved by the Street Engineer for Sidewalk Resolution No. 5625-1972 for constructing of sidewalk on the south side of State Boulevard.	Approved.

12. Received Partial Payment Estimate No. 1 of Jay Fox Construction, Inc. in the amount of $23,330.25 covering work performed on Water Contract 73-XP-2, Cook Road Feeder Main - Phase 1. (Retainage $2,592.25)	Approved. Ordered City Utilities to pay invoice 3204 of Jay Fox Construction, Inc. in the amount of $23,330.25 (Retainage $2,592.25) from the Water Utility Fund.
13. Received Special Sewer Permit for FCE-Dillon & Co., Inc. prepared and approved by the Water Pollution Control Engineering Department and Performance and Guaranty Bond of Nobis-Westropp Construction Co., Inc., to construct Storm Sewer known as Housing for the Elderly Proj. IND 3-10 Storm sewer. (Tillman Road).	Approved and Special Sewer Permit issued.
14. Received a request from Indian Village Community Associates, 3938 Wenonah Lane, for permission to hold a parade on Wednesday, July 4, 1973 from 12:30 p.m. to 1:30 p.m. Starting point - Corner of Indian Village Blvd. and Manitou Blvd. Specific route: Indian Village Blvd. to Wawonaissa, to Obibway, to Hiawatha and Wendigo. PURPOSE: Celebrate July 4, 1973.	Approved and permit issued.
15. Received a petition for the construction of sidewalks on both sides of Anthony, except where sidewalk is now in place - on South Anthony Boulevard from Paulding Road to Seddlemeyer Road. It is understood that the cost of this construction will receive 50% participation from the Federal Highway Administration.	Ordered Street Engineering Department to check percentage of resident property owners on petition and, if sufficient, prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.
16. Received a petition for the installation of water line on Pelham Drive from Sharon Drive to Oregon Drive.	Ordered the Water Engineering Department to check percentages of residents property owners on petition and, if sufficient, prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.

Meeting adjourned at 9:20 a.m.

Boswell

Ronald L Bonar

William S. Williams

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, June 28, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, R. L. Bonar
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

4401 Champlain --------------- J. L. Thomas Const. Co.
4415 Champlain --------------- J. L. Thomas Const. Co.
347 W. Kinnaird Ave. --------- Leroy H. Kanning
4447 Lafayette Espl. --------- J. L. Thomas Const. Co.
4319 Marquette --------------- J. L. Thomas Const. Co.
4323 Marquette --------------- J. L. Thomas Const. Co.
2218 Short -------------------- R. E. Heiser
4711 Tacoma --------------- Knappenberger & Stefanek

4. Received pole line applications.

Approved and permits issued.

Between 437 and 443 Colerick -------- City Light
Hobson Rd. between Coliseum Blvd. and State Street ----------------- Ind. & Mich. Elec. Company
Warsaw north of Agnes (west side of street) and South Monroe St. north of Wiebke (west side of street).-- City Utilities

5. Received street cut applications.

Approved and permits issued.

2011 Andrews ------------------------ Troy Wilson
350 W. Berry (alley) ------------------- NIPSCO
5200 Bluffton Rd. ---------------------- NIPSCO
822 & 824 S. Calhoun -------------------- NIPSCO
3406 Chestnut --------------------------- NIPSCO
132 W. Columbia ------------------------ NIPSCO
Dodge bet. Florida & West --------------- NIPSCO
1329 Dodge ----------------------------- NIPSCO

924 Eliza -------------------- NIPSCO
1913 Forest Park (alley) ------ NIPSCO
Bet. Florida & West Dr. (alley)-NIPSCO
2424 Florida (alley) -----------NIPSCO
N.E. cor. Fulton & Washington - NIPSCO
1174 Harmar ------------------- NIPSCO
1633 N. Harrison -------------- NIPSCO
6805 Ideal Ave. ------- J. J. Reiling
2520 John -------------------- NIPSCO
1828 Kensington -------------- NIPSCO
1827 Kentucky ----------------- NIPSCO
6128 Kiwanis ----------------- NIPSCO
6210 Kiwanis ----------------- NIPSCO
441 & 540 E. Leith ------------ NIPSCO
1445 E. Lewis (alley) --------- NIPSCO
2300 Lillie (alley) ----------- NIPSCO
2313 Lillie (alley) ----------- NIPSCO
4500 Lillie (bore - st.)- Water Const.
Loree bet. Lake and Columbia - NIPSCO
6817 Ludwig Circle (bore - parkstrip) --------- Water Const.
400 W. Main (alley) --------- NIPSCO
410 E. McKinnie ------------- NIPSCO
New Haven & Roy St. ---- Water Const.
1311 E. Pontiac ------------- NIPSCO
Pontiac & Abbott (alley) ---- NIPSCO
Raymond & Birchwood SE cor. -- NIPSCO
1036 Schick (street) ---- Water Const.
St. Joe Center Rd. / St. Joe Road ------------- NIPSCO
539 E. State ---------------- NIPSCO
W. State bet. Westbrook & railroad ----------- NIPSCO
4110 Victoria -------------- NIPSCO
1418 Wabash ---------------- NIPSCO
322 E. Washington (alley) --- NIPSCO
702 E. Washington (alley) ---- NIPSCO
E. Wayne intersection of Barr - NIPSCO
Webster & Paulding Rd. (St.) - ------------------Water Const.

6. Received driveway application.

7412 Spring Hill ------ F. R. Johnloz

Approved and permit issued.

Meeting adjourned at 9:10 a.m.

F. D. Boswell

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, June 28, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
Received Minutes of Meeting held Tuesday, June 26, 1973 at 9 a.m. and Thursday, June 28, 1973 at 9 a.m.	
1. Continued from May 3, 1973 HEARING ON CONFIRMATION Sewer Improvement Resolution NO. 842-1972, for Edsall Avenue Sanitary Sewer from Dwenger AVenue South to Maumee Avenue - all in Lincoln Highway Park Addition.	Continued to Thursday, July 19, 1973 at 3:30 p.m.
2. Continued from May 3, 1973 HEARING ON CONFIRMATION Sewer Easement Resolution No. 109-1972, Edsall Avenue from Dwenger Avenue south to Maumee Avenue. (Sewer No. 842-1972)	Continued to Thursday, July 19, 1973 at 3:30 p.m.
3. HEARING ON CONFIRMATION Declaratory Improvement Resolution No. 1342-1973, for the condemnation of right-of-way for street purposes across the south 20 feet of a portion of Lot 1, Curdes South Acre Addition.	CONFIRMED. Ordered the Street Engineering Department to prepare Assessment Roll of Benfits and Damages.
4. HEARING ON CONFIRMATION Declaratory Improvement Resolution NO. 1343-1973, for the condemnation of right-of-way for street and utility purposes along the south side of Tillman Road between Old Decatur Road and Anthony Boulevard.	Continued to Thursday, August 16, 1973 at 3:30 p.m.

5. Permission was granted to the recreation branch of the Park Department to barricade the following blocks from 1:00 p.m. to 3:00 p.m. as follows:

June 25 - Walnut at Miner
" 26 - 2000 Smith
" 27 - 2300 Winter (Hurd
- to Milan)
" 28 - 900 Burgess
" 29 - 1400 Eliza
July 6 - 1200 Gaywood
" 12 - 1700 Hoagland
" 13 - 900 Wilson
" 16 - 2300 Twenty-Fifth St.
" 17 - 300 Center
" 18 - 200 Suttenfield
" 20 - 1600 Morris
" 23 - 2000 Smith
" 24 - Walnut at Miner
" 25 - 2300 Winter
" 26 - 900 Burgess
" 27 - 1400 Eliza
August 1 - 1200 Gaywood
" 6 - 1700 Hoagland
" 7 - 900 Wilson
" 8 - 2300 Twenty-Fifth St.
" 9 - 300 Center
" 10 - 200 Suttenfield
" 13 - 1600 Morris
" 15 - 2000 Smith

PURPOSE: Set up water spray for children's play.

Approved and permit was issued.

6. Received Contract for Engineering Services for Improvements to U. S. Road 27 which includes street widening, signaling, lighting and intersection improvements from State Road 3 to U. S. Road 30 in the City of Fort Wayne, Indiana by and between the Board of Public Works and Beam, Longest & Neff, Inc., Consulting Engineers, Indianapolis, Indiana.

Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement Contract.

7. Received a request from John Shannon, 1515 Franklin Avenue, for permission to barricade Franklin Avenue between Spring and Fourth Streets beginning Sunday, August 26, 1973 from 8:00 a.m. to Midnight.
PURPOSE: Block Party.

Approved and permit issued.

8. RESOLUTION NO. 59-294-8

WHEREAS, on or about July 16, 1970, the Board of Public Works of the City of Fort Wayne, Indiana ("Board") adopted a Resolution authorizing the construction of a sanitary sewer pursuant to local Sewer Resolution No. 811-1970 which sewer was, and is, known as the "Goshen Road-Burma Road Sanitary Sewer"; and

WHEREAS, Nobis-Westropp Construction Company, Inc. ("Nobis-Westropp") was awarded the contract for the construction of said sanitary sewer; and

WHEREAS, Nobis-Westropp proceeded to perform said contract and completed the construction of said sanitary sewer on or about June 1, 1971; and

WHEREAS, Board ordered final inspections and preparation of assessment rolls for said sanitary sewer and remonstrances on said assessments were heard by Board on December 2, 1971 and the final confirmation of said assessments was made on January 3, 1972; and

WHEREAS, lawsuits have been filed against the City of Fort Wayne ("City") by reason of said assessments and controversy exists between some of the property owners affected and the City; and

WHEREAS, the aforesaid lawsuits by property owners have delayed the Board in paying Nobis-Westropp the sum of $46,840.75 which is part of their contract; and

WHEREAS, controversy has arisen between Board and Nobis-Westropp has filed a lawsuit against the City of Fort Wayne, seeking the sum of $150,000 for damages allegedly incurred by reason of the City's failure to make prompt payment of the money due and owing under said contract and by reason of the manner in which the City insisted upon making payment; and

WHEREAS, there have been prolonged negotiations between the City and Nobis-Westropp; and

WHEREAS, said controversy may be settled by the payment to Nobis-Westropp of $53,626.07, of which $16,168.53 shall be in Barrett bonds, which represents the total amount of said bonds still remaining in the City's hands; and

WHEREAS, said settlement represents the balance due ($47,626.07) on said contract plus $6,000 in damages (interest on unpaid balance) for a total of $53,626.07; and

WHEREAS, the Board will be the benefactor of the judgements from the pending legation of property owners who have not paid their assessments which total $46,840.75 plus interest; and

WHEREAS, the Board is of the opinion that said settlement would be fair to both the City and Nobis-Westropp and in the interest of each;

NOW THEREFORE BE IT RESOLVED BY the Board of Public Works, Governing Body of the City of Fort Wayne, that the aforesaid controversy between Board and Nobis-Westropp be settled by the payment to Nobis-Westropp of $53,626.07, of which $16,168.53 shall be in Barrett bonds.

Ordered Resolution NO. 59-294-8 sent to the Common Council Tuesday, July 10, 1973 at 8:00 p.m.

Meeting adjourned at 9:20 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L Smith

Clerk

Tuesday, July 3, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received street cut applications.	Approved and permits issued.

2816 Alleganey (prkstrp) ----- Water Const.
S. Anthony / U.S. 27
and U.S. 33 ------------ Earth Const.
4407 Atwood ---------------------- NIPSCO
Belmont / 5414 Buell --------------- NIPSCO
7515 Bluffton Rd. ------------------ NIPSCO
607 Buchanan ---------------------- NIPSCO
416 W. Butler ---------------------- NIPSCO
805 E. Creighton -------------------- NIPSCO
611 E. Creighton -------------------- NIPSCO
300 E. Dewald ---------------------- NIPSCO
1504 Director's Row ---------------- NIPSCO
4211, 4219 & 4419 Encino ------------ NIPSCO
2540 Evans ------------------------- NIPSCO
717 Ewing (alley) ------------------- NIPSCO
5513 Fairfield ----------------------NIPSCO
Gaywood / Rudisill ------------------ NIPSCO
2100 Glenwood (street) ------ Water Const.
2206 S. Hanna ---------------------- NIPSCO
1807 S. Harrison ------------------- NIpSCO
1420 Division ---------------------- NIPSCO
2828 Hazelwood --------------------- NIPSCO
500 Home Ave. ---------------------- NIPSCO
6806 Ideal ------------------------- NIPSCO
3422 Indiana (alley) ---------------- NIPSCO
2201 John -------------------------- NIPSCO
Kinnaird & Fairfield ---------------- NIPSCO
2405 Lillie (alley) ----------------- NIPSCO
3431 Logan ------------------------- NIPSCO
1000 Loree (alley) ------------------ NIPSCO
321 & 323 E. Masterson -------------- NIPSCO

McKinnie / E. of Smith -------------- NIPSCO
Meyer Ave. & Fairfield (st.) -- Water Const.
241 & 245 Murray -------------------- NIPSCO
3722 Oliver (alley) ------------------ NIPSCO
2330 Reed ---------------------------- NIPSCO
E. Rudisill W. of cl of Hanna ------- NIPSCO
4036 Sheraton (bore - prkstrp) - Water Const.
4030 Sheraton Dr. (bore - prkstrp) -----Water Const.
4024 Sheraton (bore - prkstrp)- Water Const.
4018 Sheraton (bore - prkstrp) - Water Const.
2777 Sherman ----------------------- NIPSCO
5221 Sherrill ---------------------- NIPSCO
514 Southview ---------------- W. Cooley
Taylor / Juliette --------------- NIPSCO
409 W. Washington (alley) ---------- NIPSCO
2202 Wells (alley) ----------------- NIPSCO
7102 White Eagle Dr. (bore - parkstrip) -- Water Const.
5401 Winter (bore - prkstrp) -- Water Const.
Winter N./ Lantenier St. -- Ind. Mich Elec.
4622 Woodway (bore - prkstrp) - Water Const.

4.	Received driveway application. 3636 & 4104 Illinois Rd.--Huser-Paul Co., Inc.	Approved and permit issued, subject to conditions set forth in letter to Harry W. Risk, Jr. of Construction Engrs. from Street Engineer, dated June 26, 1973.
5.	Received preliminary plans, estimate property ownership list and recommendation prepared by the Street Engineering Department for paving of alley between Glenwood Avenue and Kenwood Avenue from the east property line of Leroy Avenue to the west property line of Carew Street, to a width of 10 feet.	Ordered the Street Engineering Department to prepare final plans, specifications, estimate, property ownership list and Alley Improvement Resolution; in accordance with the Acts of the General Assembly of 1905 as amended.
6.	Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of John Dehner, Inc. with Guaranty bond in the amount of $8,227 signed by the Reliance Insurance Company for Sanitary Sewer known as Crown Colony Section "C".	Approved. Ordered acceptance letter written.
7.	Received a request from Norfolk and Western Railroad, P.O. Box 1215, for permission to close Winter Street at former Wabash Railroad Crossing on Tuesday, July 3, 1973 from 8:00 a.m. to 5:00 p.m. PURPOSE: Reconstruct Winter Street crossing.	Approved and permission was granted.

8. Received Streets Improvement Resolution No. 5638-1973 and estimate prepared by the Street Engineering Department for resurfacing the following streets:

1. Buena Vista Drive from the north property line of Lawndale Drive to the south property line of Curdes Ave., to a width of 18 feet.

2. Glencairn Drive from the north curb line of Vance Avenue to the north property line of Fairlawn Pass, to a width of 23 feet.

3. St. Joe Road from a point approximately 350 feet north of St. Joe Center Road to the south pavement line of Evard Road, to a width of 22 feet.

4. Elwood Drive from the north property line of Fairlawn Pass to the south property line of Trierwood Park Drive, to a width of 23 feet.

5. Fairlawn Pass from the east property line of Glencairn Drive to the west property line of Elwood Drive to a width of 23 feet.

6. Lake Avenue from the east curb line of St. Joseph Boulevard to a point 50 feet east of Tecumseh Street, to a width of 30 feet.

7. Goshen Road from the north property line of State Boulevard to the east curb line of Sherman Boulevard, to a width of 30 feet.

8. Dartmouth Drive from the north property line of Catalina Avenue to the south pavement line of Washington Center Road, to a width of 23 feet.

9. Sandpoint Road from the west pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet.

10. Engle Road from the east pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet.

11. Eby Avenue from the west property line of Bevel Avenue to the east property line of Paul Street to a width of 26 feet.

12. Lenox Avenue from the west property line of Hoagland Avenue to the east property line of Fairfield Avenue, to a width of 23 feet.

13. Doan Drive from the east property line of Calhoun Street to the east property line of Noll Avenue, to a width of 23 feet.

14. Noll Avenue from the south property line of Doan Drive to a point 40 feet north of the north property line of Paulding Road, to a width of 29 feet.

Approved and adopted. A true copy of which Resolution No. 5638-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution NO. 5638-1973.

Advertise, Notice to Contractors, July 13 and July 20, 1973.

Receive Bids Tuesday, July 24, 1973 at 9 a.m.

Ordered the Street Engineering Department to prepare Bid Documents.

15. Harrison Street from the south property line of Crown Lane to the south property line of Southfair Court, to a width of 26 feet.

16. Mount Vernon Park from the west property line of Bowser Avenue to the north property line of Roosevelt Drive, to a width of 26 feet.

17. Bowser Avenue from the north curb line of Capitol Avenue to the south property line of McKinnie Avenue to a width of 26 feet.

18. Bowser Avenue from a point 200 feet south of Roosevelt Drive to the east curb line of Oliver Street, to a width of 20 feet and 26 feet.

19. Oliver Street from the south property line of Capitol Avenue to the north property line of Pettit Avenue, to a width of 20 feet and 26 feet.

20. South Anthony Boulevard from a point approximately 525 feet south of U. S. Highway 27 south to a point approximately 840 feet south thereof, to a width of 20 feet.

(CITY PAID).

9. Received a request from Sara Baals, Folkus '73, for permission to close Columbia Street (the Landing) at Calhoun and Harrison Streets on Saturday, August 11, 1973 from 10:00 a.m. to 6:00 p.m.
PURPOSE: Folkus '73 Arts & Crafts Fair.

Approved and permit issued.

Meeting adjourned at 9:25 a.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:
Edna I. Smith
Clerk

Thursday, July 5, 1973

Department of Public Works
Office of the Board
Room 910, City County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk
1. HEARING ON CONFIRMATION Declaratory Resolution NO. 1339-1973 for the opening of a sixty foot wide street which is the extension of existing Stratford Road, said extension to be known as Stratford Road.	CONFIRMED. Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.
2. HEARING ON CONFIRMATION Declaratory Resolution No. 1341-1973 for the vacation of the utility easement across the east 7 feet of the west 14 feet, except the south 7 feet of Lot No. 4, Casselwood Terrace and also the east 7 feet of the west 14 feet, except the north 7 feet and the south 40 feet of Lot No. 5, Casselwood Terrace.	CONFIRMED. Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.
3. HEARING ON CONFIRMATION Declaratory Resolution NO. 1344-1973 for the vacation of the first alley west of Griswold Drive from the south property line of Anderson Avenue to the north property line of the first alley south of Anderson Avenue, said alley lying between Lots 44 and 45, Fairview Place Addition.	CONFIRMED. Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages .

4. HEARING ON CONFIRMATION Declaratory Resolution No. 1345-1973 for the vacation of the alley between Harrison Street and Cass Street from the south property line of the first alley south of Putnam Street to the north line of Feeders Addition.	CONFIRMED. Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.
5. HEARING ON CONFIRMATION Declaratory Resolution No. 1346-1973 for the vacation of the second alley north of Sixth Street from the east property line of Cass Street to the west property line of the first alley east of Cass Street.	CONFIRMED. Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.
6. Continued from June 21, 1973 HEARING ON CONFIRMATION Street Improvement Resolution No. 5633-1973 for improving Clermont Avenue from the east property line of Hessen Cassel Road to the west property line of Wayne Trace.	CONFIRMED. Advertise, Notice to Contractors, July 13 and July 20, 1973. Receive Bids Tuesday, July 24, 1973 at 9 a.m. Ordered the Street Engineering Department to prepare Bid Documents.
7. Continued from June 21, 1973 HEARING ON CONFIRMATION Alley Improvement Resolution NO. 5634-1973 for improving alley between Brooklyn Avenue and Westview Avenue from the north property line of Covington Road to the south property line of Carlton Avenue. Remonstrance received after being tabulated by the Street Engineering Department, contains five out of seven, or 71.4% of the resident property owners.	ALL ACTION RESCINDED.

8. Received Change Order No. 1 of Maumee Construction Corporation in the amount of $3,314.06 for Sidewalk Resolution No. 5616-1972 covering additional material due to revised design to continue walks through driveways.	Approved. Ordered sent to Common Council Tuesday, July 24, 1973 at 8 p.m.
9. Received plans and specifications from Water Engineering Department for Contract No. 73-XP-3 for Cook Road Feeder Main Phase II.	Approved. Advertise, Notice to Contractors, July 13 and July 20, 1973. Receive Bids, Tuesday, July 24, 1973 at 9 a.m.
10. Received a petition for curb and sidewalk repairs and ornamental light installation in Lafayette Place bounded by Pettit Avenue, Calhoun Street, McKinnie Avenue and Lafayette Street.	Engineering Departments to prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.

Meeting adjourned at 4:15 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:
Edna L. Smith
Clerk

Monday, July 9, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, W. G. Williams
Edna I. Smith, Clerk

Received Minutes of Meetings held Thursday, June 28, 1973 at 3:30 p.m.; Tuesday, July 3, 1973 at 9 a.m.; and Thursday, July 5, 1973 at 3:30 p.m.

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

Approved and permits issued.

224 E. Berry ------------- Bob Houser
Bueter Road (2) ---------- Bob Houser
1302 Lillie ST. ----------- Mark Savage
1304 Lillie St. ----------- Mark Savage
314 Robinwood ------------- Bob Houser
1217 Wabash -------------- Bob Houser

4. Received driveway applications.

Approved and permits issued.

6224 Amarillo Dr. ------ Hilker-Hubertz Homes, Inc.
1828 Ida Ave. -------------- Don Till
4408 Marquette -------------- J. L. Thomas
4650 Newaygo Dr. ----------- Brooks Const.
N. ent. to Wayne Center
Plaza on Bluffton Rd. ---- Brooks Const.

5. Received street cut applications.

Approved and permits issued.

211 E. Wayne ---------------- NIPSCO
5415 Bellmawr Dr. (prkstrp)---- Water Const.
5419 Bellmawr (prkstrp)-------- Water Const.
302 W. Berry (alley) ---------- NIPSCO
7322 Bluffton Rd. ------------ NIPSCO
1421 N. Calhoun -------------- NIPSCO
Creighton & Anthony ----------- NIPSCO
2214 Crescent ---------------- NIPSCO
1152 Division St. ------------- NIPSCO
3118 Eastbrook --------------- NIPSCO

4211 Encino (parkstrp) ---- Water Const.
4219 Encino Dr. (prkstrp) - Water Const.
2621 Farnsworth ----------- NIPSCO
2117 S. Hanna ----------- NIPSCO
1710 Kinsmoor ------------ NIPSCO
1918 Kinsmoor ------------- NIPSCO
6210 Kiwanis / Monument --- NIPSCO
L. Huntington & Bradbury - NIPSCO
4606 Lake ----------------- NIPSCO
911 Liberty --------------- NIPSCO
1208 McClellan ---------- NIPSCO
1705 E. Pontiac (alley) --- NIPSCO
3108 Queen --------------- NIPSCO
St. Joe Center ------------ NIPSCO
1620 - 1710 Sprunger ----- NIPSCO
608 W. Superior ---------- NIPSCO
3329 Vesey ---------------- NIPSCO
Washington Ctr. Rd. ------- NIPSCO
220 E. Wayne ------------- NIPSCO
Wentworth & Eastway ------ NIPSCO
1914 Wheeler ------------- NIPSCO
3015 Whitegate ---------- NIPSCO
4830 Wisteria Lane (parkstrip) ------ Water Const.

Approved and Completion Affidavit filed.

6. Received primary Assessment Roll prepared by the Street Engineering Department for Sidewalk Improvement Resolution No. 5625-1972 for the construction of sidewalk on the south side of State Boulevard from the west line of lot 40, J. H. Feichters Garden View Addition to the west right of way line of Hobson Road.

Primary Assessment Roll approved.

Advertise, Notice of Assessment, July 13 and 14, 1973.

Hearing on Confirmation of Assessment Roll Thursday, July 26, 1973 at 3:30 p.m.

Notices to be mailed July 13, 1973.

7. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department for Declaratory Resolution No. 1342-1973 for the condemnation of right of way along the north side of Tillman Road, east of Anthony Boulevard, being along the south portion of Lot 1, Curdes South Acre Addition.

Approved and Board finds that the amount of damages to Lot #1, the property of Harold and Mary Ruth Trout, damaged in the amount of $1,000 and assessment of said benefits and damages are so ordered.

Notices to be served July 9, 1973.

Hearing on Confirmation of Assessment Roll Thursday, July 19, 1973 at 3:30 p.m.

8. Request was received and permission granted to Mrs. Donald Ankenbruck, 7425 Knightswood, to close Kingsway Drive at Pacific and Breckenwood beginning Saturday, July 7, 1973 from 10:00 a.m. to 11:00 a.m. PURPOSE: Block Party.	Approved and permission granted.
9. A request was received from Mrs. James Lassus, 1234 West Foster Parkway, for permission to close West Foster Parkway at Old Mill Road and Kimmel beginning Saturday, July 14, 1973 from 1200 noon to 10:00 p.m. PURPOSE: Block Party.	Approved and permit issued.
10. Received Partial Payment Estimate No. 11 from HENRY B. STEEG & ASSOCIATES, INC., in the amount of $177.38 in connection with Agreement of April 27, 1971 for Water Pollution Control Facilities Improvements.	Approved. Ordered City Utilities to pay invoice No. 11 in the amount of $177.38 from the Water Pollution Control Utility Fund.
11. Received pole line applications. West right of way of Bluffton Road 15' north of Woodhaven Drive - Pole removed 34' north of Woodhaven Drive ----------------- Gen. Tele Co. Illinois Road, and Lindenwood, West Jefferson ------------ City Utilities.	Approved and permits issued.

Meeting adjourned at 9:15 a.m.

F. D. Braswell

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Tuesday, July 10, 1973

Department Of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk

J. D. Boswell, W. G. Williams
Edna I. Smith, Clerk

1. Received purchase orders from the Purchasing Agent of City Utilities.

Approved.

2. Received payment vouchers from the Auditor of City Utilities.

Approved and ordered sent to the Department of Finance.

3. Received private sidewalk applications.

3325 Alexander ------------- Ned Keener Const.
1217 Branning ------------- F. D. Kattan
130 E. Maple Grove --------- Jos. M. Louis

Approved and permits issued.

4. Received street cut applications.

Bluffton Road ------------ NIPSCO
3626 Knoll Rd. (prstrp) --- Water Const.
6417 Melville Dr. (bore - prksp) ----- Water Const.
3427 Regis (prkstrp) ------ Water Const.
1317 Tillman Rd. (prkstrp) - Water Const.
2819 Vance ---------------- NIPSCO

Approved and permits issued.

5. RECEIVE BIDS:

Water Main Contract No. 7307 for South Towne Square - Old Decatur Road area.

		including inspection
BERCOT, INC.	---	$42,410.02
EARTH CONST. & ENGR. CORP.	---	$38,774.55

Referred to the Water Engineering Department for tabulation and report.

Award Contract Thursday, July 12, 1973 at 9 a.m.

6. Received Water Contract No. 7306, prepared and approved by the Water Engineering Department, between the Fort Wayne Water Utility and The Kraner Company, on Evard Road from a point nine feet east of the west property line of Sunbury Drive, eastward 253 ± feet.	Approved. Ordered sent to the Water Engineering Department for handling.
7. Received Special Sewer Permit for Wayne Development Company, Inc., prepared and approved by the Water Pollution Control Engineer,, and Performance and Guaranty Bond of Nobis-Westropp Construction Company, Inc., to construct a sanitary sewer known as Blackhawk Farm, Section II.	Approved and Special Sewer Permit issued.
8. Received Agreement between the City of Fort Wayne, Indiana, and Philip L. Schnelker, Inc., Consulting Engineers, for constructing certain roadway improvements to the Lower Huntington Road between Baer Field Thruway and Winchester Road.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement 59-306-8.

Meeting adjourned at 9:25 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Wednesday, July 12, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, W. G. Williams Edna I. Smith, Clerk
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk applications. So. side Elsdale (2) --- Chatham Corp. No. side Furge St. (3) - Chatham Corp. 711 Hofer St. ---------- D. J. Molargik Mill Run Add. Phase II - Ralph L. Shirmeyer West side Nina St. (2) - Chatham Corp. 801 W. Washington ------ Dick Hale	Approved and permits issued.
4. Received driveway applications. 7820 Bluffton Road ---- Graham Const. Illinois Rd. --------- Ned Lantz 1520 West Main St. ---- Li Miller	Approved and permits issued.
5. Received street cut applications. N. Anthony & Charlotte -------- NIPSCO N. Anthony & Glenwood ------- NIPSCO N. Anthony cl of Crescent ----- NIPSCO N. Anthony cl of St. Joe River Dr. --------- NIPSCO 2400 Charlotte (st.)------- Water Const. 2600 Charlotte (st.) ------ Water Const. Charlotte cl of Santa Rosa ---- NIPSCO Curdes cl of Santa Rosa ------- NIPSCO Reed Rd., Furge Dr.,Nina, and Elsdale Dr. ------- Chatham Corp.	Approved and permits issued.

6. Received Tabulation and Recommendation prepared by the Water Engineer for Water Main Contract No. 7307 for South Towne Square - Old Decatur Road area.	AWARD CONTRACT to Earth Const. & Engr., Inc., at and for their bid in the amount of $38,268.15, subject to councilmanic approval.
7. Pursuant to a report from City Utilities Auditing Department listing unpaid electric, water and sewer bills, it is deemed desirable to write-off said bills, totaling $10,201.69, as follows: Electric ------------- $5,544.75 Water ---------------- $3,323.35 Sewer ---------------- $1,333.59	Approved.
8. Received preliminary plans, estimate, property ownership list and recommendation prepared by the Street Engineering Department for paving of alley between Adams Street and Turpie Street from the south property line of Manford Street to the north property line of Evans Street, to a width of ten feet.	Ordered the Street Engineering Department to prepare final plans, specifications, estimate, property ownership list and Alley Improvement Resolution; in accordance with the Acts of the General Assembly of 1905 as amended.
9. Received a request from Hagerman Construction, 403 Strauss Building, for permission to close the East Lane of Traffic next to Freimann Park on Clinton Street beginning Monday, July 16, 1973 to Friday, July 20, 1973 from 7:30 a.m. to 4:00 p.m. PURPOSE: install sidewalk.	Approved and permit issued.
10. Received a request from 3 - RIVERS VELO SPORT, 3321 Jonquil Drive, for permission to hold a parade on Sunday, July 15, 1973 from 8:30 a.m. to 8:50 p.m. starting at the "Landing" and terminating on Lake and U. S. 30 By-pass - approximately 225 bicycles. PURPOSE: Bicycle Tour - Three Rivers Festival.	Approved and permit issued.

11. Received a request from Ted Barker, 1715 Hawthorne Road, for permission to barricade North Washington Road between South Washington Road and Hawthorne in Wildwood Addition beginning Saturday, September 8, 1973 from 8:00 a.m. to 6:00 p.m.
PURPOSE: Wildwood Park Association - Street Dance.

Approved and permit issued.

12. RESOLUTION No. 59-309-12

WHEREAS, the State Highway Commission and the City of Fort Wayne recognize the need for improvement of U. S. Highway #27 from Northrop Street to Interstate Highway #69 due to heavy congestion, and,

WHEREAS, the City is willing to make application for partial funding through a TOPICS and/or Urban "M" project grant, and

WHEREAS, the City is willing to prepare plans and specifications for said improvement and provide rights of way to the state, and

WHEREAS, said improvement will require the State's providing local matching funds for the construction,

NOW, THEREFORE BE IT RESOLVED that the City submit to the State Highway Commission for their execution a memorandum of Understanding, setting forth City and State responsibilities if and when Federal Funding is approved.

Meeting adjourned at 9:15 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Monday, July 16, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith, Clerk
1.	Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2.	Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3.	Received driveway applications. 3900 Felician St. (3) --- Wayne Asphalt 711 Hofer -------------- Don Molargik	Approved and permit issued.
4.	Received pole line applications. 3 poles in the 600 block of Fifth Street ---------------- City Light	Approved and permit issued.
5.	Received street cut applications. 2129 Bayside Court ------ Water Const. 3003 W. Coliseum (prkstrp)-Water Const. Glenwood cl of Santa Rosa ----- NIPSCO Kenwood cl of Santa Rosa ------ NIPSCO 6120 Kiwanis Dr. (bore - prkstrp) -----Water Const. 6131 Kiwanis Dr. (prkstrp)-Water Const. 6706 Penmoken Dr. (prkstrp)-Water Const. 416 Putnam -------------------- NIPSCO St. Joe River Dr. & Woodrow ---- NIPSCO 1516 Tillman Rd. (bore - prkstrp)--- ---------- Water Const. 3911 Vineland (prkstrp) --- Water Const. 4032 Vineland (bore - prkstrp) ---- Water Const. 4040 Vineland Dr. (bore- prkstrp) ---- Water Const. 6948 Welkirk Dr. (prkstrp)- Water Const. 4020 Wells --------------------- NIPSCO 2828 Willow Oaks (prkstrp)-Water Const.	Approved and permits issued.

6. Received Plat, Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended for Walden, Section II, approved and submitted by the City Plan Commission.	Approved.
7. Received Plat, Protective REstrictions, Covenants, Easements and Approvals Appended for Cherry Creek, Section I, approved and submitted by the City Plan Commission.	Approved.
8. Received Agreement for Sewer Extension between Ken Niemeyer, Inc. and the City of Fort Wayne, Indiana, for sewer extension for Lake Forest Addition Extended, Section V.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement for Sewer Extension. Ordered sent to Common Council Tuesday, July 24, 1973 at 8 p.m.
9. Received a request from A. Hattersley & Son, 3939 Mobile, for permission to barricade both of the west side lanes in front of 602 S. Calhoun Street (Sigrist Bldg.) beginning Monday, July 16, 1973 from 9 a.m. to 4 p.m. PURPOSE: Install steel beams on roof of Sigrist Bldg. and remove sign.	Approved and permit issued.
10. Received inspection report from the Water Pollution Control Engineering Department and Completion Affidavit of Don Vickery, Inc. with Guaranty Bond in the amount of $200,000.00 signed by Insurance Company of America for Sanitary Sewer (all except sewer lines "B", "C" and "D") to serve Woodmark, Section I.	Approved. Ordered acceptance letter written. [illegible] Jul 26, [illegible]
11. Received a request from Pat Piper, 1002 W. Wildwood, for permission to barricade West Wildwood between Indiana Avenue and Beaver Avenue beginning Saturday, July 21, 1973 from 10 a.m. to 12 midnight. PURPOSE: Block Party.	Approved and permit issued.

12.	Received a request from Mr. Zuber, 2711 West Drive, for permission to barricade East Drive between Curdes and Dodge Avenues beginning Saturday, August 18, 1973 from 12:00 noon to 9:00 p.m. PURPOSE: Block Party.	Approved and permit issued.
13.	Received a request from Mrs. Ronald Ramsey, 3827 Nevada Avenue, for permission to close Tennessee Avenue between Crescent Avenue and California Avenue on Wednesday, August 22, 1973 from 5:00 p.m. to 8:00 p.m. PURPOSE: Street Carnival.	Approved and permit issued.
14.	Received invoice No. 5 of Shambaugh & Son, Inc. for construction work on Interim Phosphorus Removal System for Services up to May 31, 1973 for the amount of $6,385.50.	Approved. Ordered City Utilities to pay Invoice No. 5 of Shambaugh & Son, Inc. in the amount of $6,385.50 from the Water Pollution Control Utility Fund.

Meeting adjourned at 9:20 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, July 19, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith
Received Minutes of Meetings held Monday, July 9, 1973 at 9 a.m.; Tuesday, July 10, 1973 at 9 a.m.; Wednesday, July 12, 1973 at 9 a.m. and Monday, July 16, 1973 at 9 a.m.	
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received driveway application. 4038 South Wayne /on Branning -E.D. Robert 4607 Lafayette Esplanade ------S. Hand 2429 Nordholme ---- Delagrange Bldrs., Inc.	Approved and permits issued.
4. Received private sidewalk applications. 3302 S. Harrison ---------- Douglas Const. Co. 3331 New Haven ------------ R. Knuppenberger 4038 South Wayne --------- E. D. Robert 817 W. Washington -------- D. C. Sexton	Approved and permits issued.
5. Received pole line applications. 1700 Richardson St. ------- City Light 4600 Monroe St. ----------- City Light	Approved and permits issued.
6. Received street cut applications. Broadway & Rudisill (street) -- Water Const. 2901 Brooklyn --------------------- NIPSCO 6804 Chickasaw Dr. (bore - parkstrip) --------------- Water Const. 1810-16 Crescent (street) ----- Water Const. 442 E. Douglas (alley) ------------- NIPSCO Eastland Gardens (Res. 862) --- WPC Dept. Edsall & Maumee (alley) ------------ NIPSCO 1327 Gay -------------------------- NIPSCO Greenwalt N/CL Maumee ------------- NIPSCO 1111 S. Hanna (Alley) ------------ NIPSCO 4020 Lynnfield Dr. (prkstrp) - Water Const. 3442 Marias Dr. (bore - prkstrp) ----------- Water Const. Maumee Rd. CL of Kitch ------------ NIPSCO	Approved and permits issued.

7212 Miahqueah Dr. (bore - parkstrp) ----- Water Const.
2827 Willow Oaks Dr. (park- strip) ---- Water Const.
2626 Schele (alley) -------- NIPSCO
2505 Belfast on Stafford -- NIPSCO
418 Southview ------------- NIPSCO
U.S. 30 & U.S. 24 --------- NIPSCO
East Washington - E/ Glasgow, at Jefferds and W/ Jefferds-- NIPSCO

7. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Alley Improvement Resolution No. 5609-1972, for alley between Lewis Street and Hugh Street from the west property line of Chute Street to its western terminus.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise, Notice of Assessment, July 26 and July 27, 1973.

Hearing on Confirmation of Assessment Roll Thursday, August 9, 1973 at 3:30 p.m.

Notices to be mailed July 26, 1973.

8. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Alley Improvement Resolution No. 5620-1972, for alley between Dewald Street and Creighton Avenue from the east property line of Barr Street to the west property line of the first alley east of Barr Street.

Approved and Completion Affidavit filed.

Primary Assessment Roll approved.

Advertise, Notice of Assessment, July 26 and July 27, 1973.

Hearing on Confirmation of Assessment Roll Thursday, August 9, 1973 at 3:30 p.m.

Notices to be mailed July 26, 1973.

Meeting adjourned at 9:25 a.m.

Ronald L. Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Clerk

Thursday, July 19, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar W. G. Williams Edna I. Smith
1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL Declaratory Resolution 1342-1973 for the condemnation of right of way for street purposes across the south 20 feet of a portion of Lot 1, Curdes South Acre Addition.	CONFIRMED and ordered sent to the Department of Finance.
2. HEARING ON CONFIRMATION Declaratory Resolution No. 1347-1973 for the vacation of the east 150 feet of the first alley south of Creighton Avenue lying between Hanna Street and Weisser Park Avenue.	CONFIRMED and Ordered the Street Engineering Department to prepare Assessment Roll of Benefits and Damages.
3. Continued from June 28, 1973 HEARING ON CONFIRMATION Sewer Improvement Resolution NO. 842-1972 for Edsall Avenue from Dwenger Avenue south to Maumee Avenue - all in Lincoln Highway Park Addition.	ALL ACTION RESCINDED.

4. Continued from June 28, 1973 HEARING ON CONFIRMATION Sewer Easement Resolution NO. 109-1972 Edsall Avenue from Dwenger Avenue south to Maumee Avenue. (Sewer No. 842-1972)	ALL ACTION RESCINDED.
5. HEARING ON CONFIRMATION Improvement Resolution for Street Paving, Sidewalks and Street Lighting No. 5636-1973 to improve Dalewood Drive from the west property line of Elwood Drive to the east property line of Chancellor Drive.	Continued to Thursday, August 9, 1973 at 3:30 p.m. Time up to receive remonstrance Monday, July 30, 1973 at 5:00 p.m.
6. HEARING ON CONFIRMATION Street Improvement Resolution No. 5637-1973 for improving Fisher Street from the east property line of Reed Street to the west property line of Winter Street.	Continued to Thursday, August 9, 1973 at 3:30 p.m. Time up to receive remonstrance Monday, July 30, 1973 at 5:00 p.m.
7. Received Contract, Guaranty and Liability Bonds of John Dehner, Inc., in the amount of $837,575.23, prepared by the Water Pollution Control Engineering Department, signed by United States Fidelity & Guaranty for Sewer Improvement Resolution No. 266-1972 St. Joseph River Interceptor - Division V - Robinson Park to Martin Ditch.	Approved. Ordered Contract in the amount of $837,575.23 sent to the Common Council Tuesday, July 24, 1973 at 8:00 p.m.

8. Received Contract, Guaranty and Liability Bonds of Nobis-Westropp Construction Company, Inc., in the amount of $189,825.00, prepared by the Water Pollution Control Engineering Department, signed by the Fidelity and Deposit Company of Maryland for Sewer Improvement Resolution No. 267-1972 MODIFIED St. Joseph River Interceptor - Div. VI - Martin Ditch to Cedar Creek Township Line.	Approved. Ordered Contract in the amount of $189,825.00 sent to the Common Council Tuesday, July 24, 1973 at 8:00 p.m.
9. Received Contract, Guaranty and Liability Bonds of Earth Construction & Engineering, Inc., in the amount of $627,986.90, prepared by the Water Pollution Control Engineering Department, signed by Great American Insurance Company for Sewer Improvement Resolution No. 271-1972 St. Joseph River Interceptor - Div. X - Robinson Park to S. R. #327.	Approved. Ordered Contract in the amount of $627,986.90 sent to the Common Council Tuesday, July 24, 1973 at 8:00 p.m.
10. Received Contract, Guaranty and Liability Bonds of Bercot, Inc., in the amount of $386,338.20, prepared by the Water Pollution Control Engineering Department, signed by General Insurance Company of America for Sewer Improvement Resolution No 272-1972 - St. Joseph River Interceptor - Div. XI - S. R. #327 to S. R. #3.	Approved. Ordered Contract in the amount of $386,338.20 sent to the Common Council Tuesday, July 24, 1973 at 8:00 p.m.
11. Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation, in the amount of $176,694.50, prepared by the Water Pollution Control Engineering Department, signed by Trinity Universal Insurance Company of Dallas, Texas for Sewer Improvement Resolution No. 273-1972 MODIFIED - St. Joseph River Interceptor - Div. XII - S. R. #3 to Bethel Road.	Approved. Ordered Contract in the amount of $176,694.50 sent to the Common Council Tuesday, July 24, 1973 at 8:00 p.m.
12. Received Contract, Guaranty and Liability Bonds of Earth Construction & Engineering, Inc., in the amount of $360,432.00, prepared by the Water Pollution Control Engineering Department, signed by Great American Insurance Company for Sewer Improvement Resolution No. 275-1972 St. Joseph River Interceptor - Div. XIV - Robinson Park to Dupont Road.	Approved. Ordered Contract in the amount of $360,432.00 sent to the Common Council Tuesday, July 24, 1973 at 8:00 p.m.

13.	Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation, in the amount of $287,608.60, prepared by the Water Pollution Control Engineering Department, signed by the Trinity Universal Insurance Company of Dallas, Texas for Sewer Improvement Resolution No. 276-1972 - St. Joseph River Interceptor - Div. XV - Dupont Road to Pine Valley.	Approved. Ordered sent to Common Council Tuesday, July 24, 1973 at 8:00 p.m. Contract in the amount of $287,608.60.
14.	Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation, in the amount of $96,503.30, prepared by the Water Pollution Control Engineering Department, signed by the Trinity Universal Insurance Company of Dallas, Texas for Sewer Improvement Resolution No. 277 - MODIFIED - St. Joseph River Interceptor - Div. XVI - St. Joseph River to Diebold Road.	Approved. Ordered sent to Common Council Tuesday, July 24, 1973 at 8:00 p.m. Contract in the amount of $96,503.30.
15.	Received Periodic Estimate No. 2, in the amount of $6,392.42, of Hipskind Asphalt Corporation, for sewer Resolution No. 857-1972 - Trixholme Addition area.	Approved. Ordered City Utilities to pay invoice of Hipskind Asphalt Corporation, in the amount of $6,392.42 from the Water Pollution Control Utility Fund.
16.	Received Periodic Estimate No. 3, in the amount of $8,266.59, of Hipskind Asphalt Corporation, for sewer Resolution No. 857-1972 - Trixholme Addition area.	Approved. Ordered City Utilities to pay invoice of Hipskind Asphalt Corporation, in the amount of $8,266.59 from the Water Pollution Control Utility Fund.
17.	Received invoice of Maumee Construction Corporation, dated July 19, 1973, for Partial Payment of City's share in the amount of $1,900.00 for Sidewalk Improvement Resolution No. 5619-1972 on the North side of Taylor Street.	Approved and ordered paid from the MVH Fund #88-261.
18.	Received invoice of Maumee Construction Corporation, dated July 16, 1973, for Partial Payment of City's share in the amount of $850.35 for Sidewalk Improvement Resolution No. 5616-1972 on the south side of Vance Avenue.	Approved and ordered paid from the MVH Fund #88-261.

19.	Received Partial Payment No. 2 (FINAL) in the amount of $8,989.10, of Hipskind Asphalt Corporation approved by the Street Engineer for Street Improvement Resolution No. 5626-1972 for improving Dunnwood Drive.	Approved and ordered $8,989.10 FINAL - Partial Payment No. 2 paid from the MVH Fund #88-261.
20.	Received invoice of Hipskind Asphalt Corporation, dated June 15, 1973, in the amount of $7,400.00 approved by the Water Engineer for Water Contract No. 7301 - Modifications to Water Facilities - U. S. 30 Bypass U-Project No. 724 (21).	Ordered City Utilities to pay invoice of Hipskind Asphalt Corporation in the amount of $7,400.00 (IN FULL) from the Water Utility Fund.
21.	Received Partial Payment Estimate No. 1 of McNamee, Porter and Seeley, Consulting Engineers, in the amount of $13,341.91, for engineering fees in accordance with Agreement dated December 7, 1970 for preparation of plans and specifications and Contract Documents for Water Works Improvements.	Approved and ordered invoice of McNamee, Porter and Seeley in the amount of $13,341.91 paid from the Water Utility Fund. City Utilities to issue check.
22.	Received Invoice of Earth Construction and Engineering, Inc., in the amount of $6,157.40, for Utilities share of Water Contract No. 7302 - Tillman Road issued to Colony Heights, Inc.	Approved and ordered City Utilities to pay invoice of Earth Construction and Engineering, Inc. in the amount of $6,157.40 from the Water Utility Fund.

Meeting adjourned at 4:40 p.m.

Ronald L Bonar

BOARD OF PUBLIC WORKS

ATTEST:

Edna L Smith

Clerk

Monday, July 23, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J.D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith
Received Minutes of Meetings held Thursday, July 19, 1973 at 9 a.m. and Thursday, July 19, 1973 at 3:30 p.m.	
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received driveway applications. 1212 E. California Rd. ------- Kinder Const. Temp. Entr. on Randalia ------ John Dehner, Inc.	Approved and permits issued.
4. Received private sidewalk applications. 2714 Rosewood Dr. ----------- T. J. Lebrato Cor. State & Lavern -------- Kinder Const.	Approved and permit issued.
5. Received street cut applications. 2901 Brooklyn (bore - prkstrp) -- Water Const. Buchanan / Gay & Smith ----------- NIPSCO 2309, 2401, 2423, 2427, 2439 and 2515 Fairfield Ave. -------------- NIPSCO High & Wefel (sdw.) -------------- Water Const. 3300 L. Huntington Rd. (bore - prkstrp) ----------------- Water Const. Oxfore & Robinwood (sdw) --------- Water Const. 2714 Pinwood Dr. (bore - parkstrp) ------------------ Water Const. 3305 Robinwood (asphalt) --------- Water Const. 4114 Sheraton Dr. (prkstrp) -------Water Const. 2714 Sherborne -------------------- NIPSCO 3216 South Wayne (alley) ---------- NIPSCO 1111 Webster --------------------- NIPSCO	Approved and permits issued.

6. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1340-1973 for the vacation of Glenwood Avenue from the west right of way of Hobson Road to a point 292.6 feet, said point also being the division line between Rosalie Park Addition and Arnold's Suburban Addition.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served July 27, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 9, 1973 at 3:30 p.m.
7. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1341-1973 for the vacation of the utility easement across the east 7 feet of the west 14 feet, except the south 7 feet of Lot #4 Casselwood Terrace, also the east 7 feet of the west 14 feet, except the north 7 feet and the south 40 feet of Lot #5, Casselwood Terrace.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served July 27, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 9, 1973 at 3:30 p.m.
8. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1344-1973 for the vacation of the first alley west of Griswold Drive from the south property line of Anderson Avenue to the north property line of the first alley south of Anderson Avenue.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served July 27, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 9, 1973 at 3:30 p.m.
9. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for the vacation of the alley between Harrison Street and Cass Street from the south property line of the first alley south of Putnam Street to the north line of Feeders Addition. Declaratory Resolution NO. 1345-1973.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served July 27, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 9, 1973 at 3:30 p.m.
10. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for the vacation of the second alley north of Sixth Street from the east property line of Cass Street to the west property line of the first alley east of Cass Street. Declaratory Resolution NO. 1346-1973.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served July 27, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 9, 1973 at 3:30 p.m.

11.	Received a request from Early Elevator Company, 1313 E. State Blvd., for permission to close the South lane of Traffic on Washington Blvd. in front of the WMCA on Sunday, July 22, 1973 from 5:30 a.m. to 12:00 Noon. PURPOSE: Park crane to remove old elevator equipment on roof and place new one.	Approved and permit issued.
12.	Received a request from Fred Hunter, 124 W. Washington Blvd. for permission to block the sidewalk in front of 124 W. Washington, also to cover four parking meters in front of building beginning Monday, Tuesday and Wednesday, July 23, 24 and 25, 1973 from 7:00 a.m. to 5:00 p.m. PURPOSE: To board the windows in the building.	Approved and permit issued.
13.	Received a request from Norfolk and Western Railroad, % Mr. Williamson, P.O. Box 1215, for permission to close Lumbard Street at the railroad crossing for one week beginning Monday, July 23, 1973 from 7:30 a.m. to 5:00 p.m. PURPOSE: To resurface railroad crossing.	Approved and permit issued.
14.	Received RELEASE OF EASEMENT whereby the City of Fort Wayne, Indiana releases easement granted May 31, 1963 by Fort Wayne National Bank, Trustee for sewer, conduit and pole line purposes as follows: The East Seven (7) feet of Lot #303 and the West seven (7) feet of Lot #304 in New Kirkwood Park Section H an Addition to the City of Fort Wayne. Said Release of Easement recorded June 5, 1973 - No. 73-13533.	Approved and filed in Board of Public Works.
15.	Received Partial Payment No. 12 from HENRY B. STEEG & ASSOCIATES, INC., in the amount of $401.75 in connection with Agreement of April 27, 1971 for Water Pollution Control Facilities Improvements. (This is Payment No. 2 on INTERIM PHOSPHOROUS REMOVAL FACILITY).	Approved. Ordered City Utilities to pay Invoice No. 12 (No. 2 on Interim Phosphorus) in the amount of $401.75 from the Water Pollution Control Utility Fund.

16. Received RELEASE OF PERMANENT and TEMPORARY EASEMENTS whereby the City of Fort Wayne releases to Arlington Investment Corporation certain easements acquired through Condemnation Resolution No. 115-1972 for sewer installation in Trixholme Addition as follows:

PERMANENT:

An easement 14 feet in uniform width lying 7 feet either side of the following described centerlines on space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33, beginning at a point on the south property line, 140 lineal feet, 435 lineal feet and 735 lineal feet West of the South east corner of said space owned by Arlington Investment Corporation; said Southeast corner more particularly described as being the Southwest corner of Lot #78 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence turning North an angle of 90 degrees 00 minutes from the said South property line and projecting a distance of and terminating at 160.6 feet.

TEMPORARY:

A 20 feet temporary easement lying east and west of aforedescribed permanent easement. Temporary to expire one year after date of execution of this document, or completion of construction, whichever comes first.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

Said Easement recorded June 18, 1973 - No. 73-14716.

Approved.

Filed in Board of Public Works.

Meeting adjourned at 9:15 a.m.

Boswell

R L Bonar

BOARD OF PUBLIC WORKS

ATTEST: Edna L. Smith

Clerk

Tuesday, July 24, 1973

Department of Public Works Office of the Board Room 910, City-County Building Regular meeting held at 9 a.m.	
J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, R. L. Bonar Edna I. Smith
Received Minutes of Meeting held Monday, July 23, 1973 at 9:00 a.m.	
1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk permits. 4433 Champlain ------- J. L. Thomas 4422 Kenilworth ------ J. L. Thomas 2432 So. Wayne ------- J. L. Thomas 217 Woodland --------- Richter Const.	Approved and permits issued.
4. Received driveway application. 2804 Inwood --------- Kirk H. Scheeler	Approved and permit issued.
5. Received street cut applications. 2614 Ethel --------------- NIPSCO 2730 Lofty Dr. ----------- NIPSCO McKee - E/Gay St. ------- NIPSCO 7221 Miahqueah Dr. (prkstrp) - Water Const. 6200 Reed Rd. (prkstrp) - Water Const. 3423 Rolston ------------- NIPSCO	Approved and permits issued.
6. RECEIVE BIDS: Street Improvement Resolution NO. 5633-1973 for improving Clermont Avenue from the east property line of Hessen Cassel Road to the west property line of Wayne Trace. L. W. DAILEY, INC. ----------- $98,652.40 JOHN DEHNER, INC. ------------ $93,976.44	Referred to the Street Engineering Department for tabulation and report.

7. RECEIVE BIDS:

Street Improvement Resolution NO. 5638-1973 specified streets resurfacing:

L. W. DAILEY, INC. -----------	$420,868.40
WAYNE ASPHALT & CONST. CO. ---	$366,133.35

Referred to the Street Engineering Department for tabulation and report.

8. RECEIVE BIDS:

Water Contract NO. 73-XP-3 for Cook Road Feeder Main Phase II:

BERCOT, INC. -----------------	$34,712.78
JOHN DEHNER, INC. -----------	$34,100.80
EARTH CONST. & ENGR. CO. ----	$36,979.40
JAY FOX CONST. CO. ----------	$32,472.40
NOBIS-WESTROPP CONST. CO. ---	$28,746.10

Referred to the Water Engineering Department for tabulation and report.

Award Contract Thursday, July 26, 1973 at 9 a.m.

9. Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of Arlington Investment Corporation (French Construction, Inc. -Contractor) with Guaranty Bond in the amount of $40,000.00 signed by General Insurance Company of America for Storm Sewer to serve SENECA HILLS, Section I.

Approved.

Ordered acceptance letter written.

10. Received Plat, Protective Covenants, Restrictions and Limitations for Arlington Park Section V, submitted and approved by the City Plan Commission.

Approved.

11. Received Agreement between the City of Fort Wayne, Indiana and Murphy Consultants, Inc. of South Bend, Indiana, covering professional services in connection with proposed Improvements to the Fort Wayne Water Utility.

Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein under Agreement.

12. Received Water Agreement, Contract No. 7307, between the City of Fort Wayne, Indiana, and Justus Contracting Company, Inc., on the Old Decatur Road known as South Towne Square Apartments. EARTH CONSTRUCTION AND ENGINEERING CORP. will perform construction work.

Approved.

Ordered City Utilities portion ($8,157.40) sent to the Common Council, Tuesday, August 14, 1973 at 8:00 p.m.

13. Received invoice of John Dehner, Inc., in the amount of $856.02, covering emergency repair of Sewer in 1400 Block of Edgewater Avenue. Said work was performed June, 1973, as it could not be handled by Water Pollution Control Maintenance Department.	Approved. Ordered City Utilities to pay invoice of John Dehner, Inc., from the Water Pollution Control Utility Fund.
14. Received a request from Mrs. Ed Teeters, 2222 Interlaken, for permission to barricade a portion of Donna Drive beginning Tuesday, July 24, 1973 from 6:30 p.m. to 9:30 p.m. PURPOSE: Block party - picnic.	Approved and permit issued.
15. Received a request from General Telephone Company, Barr & Berry Streets for permission to barricade the following: (July, 1973 to Jan., 1975) 1. Closing of Barr Street from Berry north to the alley. 2. Closing of the sidewalk on the east side of Barr Street from Berry north to the alley. 3. Closing of the sidewalk on the north side of Berry Street bordering the construction work. 4. Closing of the alley between General Telephone and Davis Pontiac east of Barr Street. 5. Removal of parking and closing of the north 10 feet of Berry bordering the construction work.	Approved and permit issued.
16. Received a request from Northern Indiana Public Service, 1501 Hale Avenue, % Paul Bangert, to close Allegany Avenue at Sand Point Road on Thursday, July 26, 1973 from 8:00 a.m. to 4:30 p.m.. PURPOSE: To install new main.	Approved and permit issued.

Meeting adjourned at 9:25 a.m.

F. D. Boswell

BOARD OF PUBLIC WORKS

ATTEST:

Edna I. Smith

Edna I. Smith, Clerk

Thursday, July 26, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, W. G. Williams Edna I. Smith

1. Received purchase orders from the Purchasing Agent of City Utilities.

   Approved.

2. Received payment vouchers from the Auditor of City Utilities.

   Approved and ordered sent to the Department of Finance.

3. Received private sidewalk permits.

   Approved and permits issued.

   2102 California Ave. --- American Const. Co.
   310 Dunwood ------------ C. A. Lehman & Sons
   1902 Forest Pk. Blvd. -- Carrington & Assoc.
   4400 New Haven Ave. ---- Kinder Const. Co.
   2700 Paulding Rd. ------ Jackson Realty
   6333 Reserve Line Rd. -- J. L. Werling
   316 Rexford ----------- Louis Rhoads Co.
   2308 S. Hanna ---------- Preston Lyons

4. Received driveway applications.

   Approved and permits issued.

   1217 West Branning ------ F. D. Kattan
   3404 Fleetwood ---------- Delagrange Homes
   1902 S. Hanna St. ------ Hanna St. SDA Church
   1808 Holly Ave. -------- Delagrange Homes
   2018 Poinsette Dr. ----- T. J. Tomei
   1200 Blk. Wells St. ----- Jack & Johnnys

   TEMPORARY ENTRANCES ONLY:

   Tillman Rd. 300' E. / Old Decatur Rd.----- ------------ Nobis-Westropp Const. Co.
   1730 Spring St. -------- Driveway Pavers, Inc.

5. Received street cut applications.

   Approved and permits issued.

   E. Brackenridge W/Lafayette ----- NIPSCO
   920 Conrad ---------------------- NIPSCO
   1411 Division ------------------- NIPSCO
   Division & Hayden NE cor. -------- NIPSCO
   2400 Redwood N/Felician - John Dehner, Inc.
   3603 McArthur --------- Troy Wilson Excav.

315 W. Masterson --------------- NIPSCO
1420 E. Pontiac (alley) ---------- NIPSCO
630 E. Washington (alley) ------- NIPSCO
4411 Wayne Trace ---------------- NIPSCO
1703 Woodside ------------------- NIPSCO

6. Received Alley Improvement Resolution No. 5639-1973, final plans, estimate, specifications and property ownership list, prepared by the Street Engineering Department for improving the alley between Glenwood Avenue and Kenwood Avenue from the east property line of Rolston Street to the west property line of Beacon Street.

Approved and adopted. A true copy of which Resolution No. 5639-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5639-1973.

Advertise, Notice to Property Owners, August 3 and August 10, 1973.

Hearing on Confirmation Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

7. Received Street Improvement Resolution No. 5641-1973, final plans, estimate, specifications and property ownership list, prepared by the Street Engineering Department for improving Elmer Avenue from the east property line of Sherman Boulevard to the existing pavement west of Sherman Boulevard, a distance of approximately 450 lineal feet.

Approved and adopted. A true copy of which Resolution No. 5641-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5639-1973.

Advertise, Notice to Property Owners, August 3 and August 10, 1973.

Hearing on Confirmation Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

8. Received Alley Improvement Resolution No. 5642-1973, final plans, estimate, specifications and property ownership list, prepared by the Street Engineering Department for improving the alley between Sherman Boulevard and Oakland Street from the north property line of Greenlawn Avenue to the south property line of Margaret Avenue.

Approved and adopted. A true copy of which Resolution No. 5642-1973 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 5642-1973.

Advertise, Notice to Property Owners, August 3 and August 10, 1973.

Hearing on Confirmation Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

9. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1339-1973, for the opening of Stratford Road to a width of sixty (60) feet from the south right of way line of Roxbury Drive to a point approximately 310 feet north thereof.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served August 3, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 16, 1973 at 3:30 p.m.
10. Received Assessment Roll of Benefits and Damages, prepared by the Street Engineering Department, for Declaratory Resolution No. 1347-1973, for the vacation of the east 150 feet of the first alley south of Creighton Avenue lying between Hanna Street and Weisser Park Avenue.	Approved and Board finds that the amount of damages to each property listed on said Roll are equal in the amount of $1.00 each and the assessment of said benefits and damages are so ordered. Notices to be served August 3, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 16, 1973 at 3:30 p.m.
11. Received inspection report and Primary Assessment Roll prepared by the Street Engineering Department for Street Improvement Resolution No. 5527-1969 to improve Betty Avenue from the west curb line of Chochtimar Trail to the west line of Tower Heights Addition, Section "B".	Approved and Completion Affidavit filed. Primary Assessment Roll approved. Advertise, Notice of Assessment August 2 and August 3, 1973. Hearing on Confirmation of Assessment Roll Thursday, August 16, 1973 at 3:30 p.m. Notices to be mailed August 3, 1973.
12. Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Contract 73-XP-3 for Cook Road Feeder Main -Phase II.	Held in abeyance until Monday, July 30, 1973.

13. Received a request from Northern Indiana Public Service Company, 1501 Hale Avenue, for permission to barricade Murray Street between Lafayette and Barr Streets beginning Wednesday, July 25, 1973 to Thursday, July 26, 1973 from 8:00 a.m. to 1:00 p.m.
PURPOSE: Insert 6" pipe.

Approved and permit issued.

14. Received a request from Northern Indiana Public Service Company, 2101 Spy Run Avenue P.O. Box 60), for permission to barricade the following streets (portions) between July 18, 1973 and August 31, 1973 (only between 9:00 a.m. and 4:00 p.m. on weekdays):

Harrison St., west lane south of Wayne St. to Washington Blvd.

Harrison St., west lane south of Washington Blvd. to Jefferson St.

Harrison St., west lane south of Washington Blvd to Lewis St.

Harrison St., west lane south to Douglas St.

Douglas St., south lane west half block.

PURPOSE: Installing transformers. Installing and splicing power cables.

Approved and permit issued.

15. Received a request from Indiana & Michigan Elec. Company, P.O. Box 60, for permission to barricade the two lanes on the north side of Superior in front of the Gas House parking lot (will only be barricading one lane at a time so one lane will always be open) beginning Friday, Monday, Tuesday, Wednesday, July 27, 30, 31 and August 1, 1973 from 8:00 a.m. to 4:00 p.m.
PURPOSE: Put manhole in sidewalk and connect to line in middle of Superior Street.

Approved and permit issued.

Meeting adjourned at 9:20 a.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Clerk

Thursday, July 26, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 3:30 p.m.

J. D. Boswell, R. L. Bonar, W. G. Williams Edna I. Smith, Clerk	J. D. Boswell, W. G. Williams Edna I. Smith
1. HEARING ON CONFIRMATION OF ASSESSMENT ROLL: Sidewalk Improvement Resolution No. 5625-1972 for the construction of sidewalk on the south side of State Boulevard from the west line of Lot 40, J. H. Feichters Garden View Addition to the west right of way line of Hobson Road.	The Board determined the benefits as indicated. Ordered the Street Engineering Department to prepare the Final Assessment Roll.
2. Received a petition for the installation of a water main to serve properties on Pineview Drive from Trier Road to Southward.	Ordered the Water Engineering Department to check percentages of residents property owners on petition and, if sufficient, prepare preliminary plans, estimate, property ownership list and all details necessary for the improvement.
3. Received Warranty Deed from Robert Y. Keegan and Gertrude J. Keegan, his wife, whereby they warrant and convey to the City of Fort Wayne, Indiana, the following described real estate in Allen County, Indiana: The North Ninety (90) feet of Lot Number 55 in McCulloch's Second Addition to the City of Fort Wayne. Subject to all taxes, assessments and the Zoning Ordinance of the City of Fort Wayne, Indiana. Said Warranty Deed recorded July 17, 1973. Item 73-17580.	The Warranty Deed from Robert Y. Keegan and Gertrude J. Keegan was made a matter of record. A true copy of which Deed is incorporated by reference herein and appears in Minutes herein under Warranty Deed.

4. Received Agreement between The Harrington Corporation and the City of Fort Wayne, Indiana, for Detention Pond Agreement for storm water drainage that will serve the property of Norton Motel located at 3116 East Maumee Avenue.	Approved. A true copy of which Agreement is incorporated by reference herein and appears in Minutes herein, under Agreement. Ordered Water Pollution Control Department to have Agreement recorded.
5. Received Water Contract NO. 7312, prepared and approved by the Water Engineering Department between North Eastern Enterprises, Inc. and the City Fort Wayne Water Utility on Chelmsford Place, etc. all in Walden Addition, Section II.	Approved.
6. Received Partial Payment Estimate No. 1 of A. Grosjean & Son, in the amount of $5,958.50, covering work performed on Curb, Sidewalk and Street Repair Resolution No. 5635-1973 on west side of Lafayette Street.	Approved and invoice of A. Grosjean & Son in the amount of $5,958.50 paid from the MVH Fund #88-261.
7. Received Invoice No. 1 of Industrial Piping and Engineering Corporation (Partial Payment No. 1) for Water Contract No. 72-W-2 - Revision to Existing Filtration Plant in the amount of $40,539.60.	Approved. Ordered City Utilities to pay invoice #1 of Industrial Piping and Engineering Corporation in the amount of $40,539.60 from the Water Utility Fund
8. Received a request from Bethany Presbyterian Church, Jack L Sprouls, 1006 Voetter Dr., for permission to hold a parade on August 2, 1973 from 9:30 a.m. to 10:30 a.m. Route of parade attached. Police escort requested. PURPOSE: Advertise vacation Bible school.	Approved and permit issued.

Meeting adjourned at 3:30 p.m.

BOARD OF PUBLIC WORKS

ATTEST:

Edna L. Smith

Clerk

Monday, July 30, 1973

Department of Public Works
Office of the Board
Room 910, City-County Building
Regular meeting held at 9:00 a.m.

J. D. Boswell, R. L. Bonar, W. G. Williams
Edna I. Smith, Clerk.

J. D. Boswell, W. G. Williams
Edna I. Smith

1. Received purchase orders from the Purchasing Agent of City Utilities.	Approved.
2. Received payment vouchers from the Auditor of City Utilities.	Approved and ordered sent to the Department of Finance.
3. Received private sidewalk permit applications. 1919 Ida ----------------------Ralph E. Taylor	Approved and permit issued.
4. Received driveway applications. 4934 Hillegas Road ---------- Terry L. Boch 2714 Rosewood Drive --------- T. J. Lebrato	Approved and permits issued.
5. Received street cut applications. 5514 S. Anthony (prkstrp) --- Water Const. Ardmore (Elmhurst Hi School) - Land Excav. 1943 Bear Paw Dr. (prkstrp) - Water Const. Hobson Rd. S / Vance Ave. --- Gen. Tele. Co. 1626 Inwood Dr. (bore - prkstrip) ------ Water Const.	Approved and permits issued.
6. Received Tabulation and Recommendation prepared by the Water Engineering Department for Water Contract 73-XP-3 for Cook Road Feeder Main - Phase II.	HELD IN ABEYANCE.
6-A. Received pole line application. Hobson Road between State Street & U. S. 30 Bypass -------------- Gen. Tele. Co.	Approved and permit issued.

7. Sewer Easement Resolution NO. 120-1973, TEMPORARY AND PERMANENT for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the Northwest quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East, bounded on the North by line extended East from Wallen Road to the St. Joe River, bounded on the East and South by the St. Joe River, bounded on the West by the East line of Section 7, Township 31 North, Range 13 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condem right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the Northwest quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East; bounded on the North by a line extended East from Wallen Road and the St. Joe River, bounded on the East and South by the St. Joe River, bounded on the West by the East line of Section 7, Township 31 North, Range 13 East, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at a proposed manhole located on the North line of Concordia Gardens and 10 feet West of the Northeast corner of Lot #182 of Concordia Gardens Additions; thence continuing across a 79 ± acres now or formerly owned by Lester H. and Esther H. Harmeyer on a bearing of North 21 degrees 51 minutes East on a line 10 feet West of and parallel to the Indiana & Michigan Electric Co. right of way for a distance of 380 feet to a proposed manhole #2.

2. Also an easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Approved and adopted. A true copy of which Resolution No. 120-1973, is incorporated by reference herein and appears in Minutes herein under Resolution No. 120-1973. (Easement). (Sewer Res. #266)

Advertise, Notice to Property Owners, August 3 & 10, 1973.

HEARING ON CONFIRMATION - Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

Commencing at a proposed manhole #2 described in paragraph 1 above; thence North 59 degrees 25 minutes East, a distance of 150 ± feet to point of beginning on the East right of way of the Indiana & Michigan Electric Co.; thence continuing across a property now or formerly owned by the Lincoln National Bank & Trust Co. and a property now or formerly owned by the City of Fort Wayne on a continued bearing of North 59 degrees 25 minutes East for a distance of 640 feet to a point located on the Old Feeder Canal the proposed corner of the above said City of Fort Wayne property and the Lincoln National Bank & Trust Co. property; thence continuing across 27.2 ± acres described as the North part of Richardville Reserve between the Old Feeder Canal and the St. Joe River now or formerly owned by the Lincoln National Bank & Trust Co. a distance of 575 ± feet to the East line of said property; thence continuing across City of Fort Wayne property lying along the Westerly side of the St. Joe River, a distance of 66 feet to a proposed manhole #5; thence North 22 degrees 35 minutes WEst, a distance of 600 feet, thence North 33 degrees 30 minutes West, a distance of 326 feet; thence North 24 degrees 03 minutes West, a distance of 385 feet; thence North 2 degrees 45 minutes West, a distance of 350 feet; thence North 2 degrees 45 minutes East, a distance of 500 feet; thence North 40 degrees 25 minutes East, a distance of 760 feet to the Easterly right of way of the Indiana & Michigan Electric Co.; thence continuing across the right of way of Indiana & Michigan Electric Co. on a bearing of North 40 degrees 25 minutes East, a distance of 130 feet to a proposed manhole #11 located North of Swift's Run; thence South 77 degrees 45 minutes East a distance of 110 ± feet to the Easterly line of said right of way line; thence continuing across City of Fort Wayne property lying along the St. Joe River on a bearing of South 77 degrees 45 minutes East a distance of 470 feet; thence South 83 degrees 50 minutes East a distance of 400 feet; thence South 50 degrees 00 minutes East a distance of 400 feet; thence South 29 degrees 00 minutes East a distance of 430 ± feet to a point on the East property line of the 14.35 ± acre tract known as the Southwest corner of Bouries Reserve West of the St. Joe River now or formerly owned by the City of Fort Wayne; said point also being 45 ± feet Northeast of the high bank of the St. Joe River.

3. Also an easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on the various properties and described as follows:

Commencing at a point located approximately 45 ± feet Northeast of the St. Joe River and on the common property line of the City of Fort Wayne and Arnold E. & Neoma E. Kramer; thence continuing across 112.76 ± acres now or formerly owned by Arnold E. & Neoma E. Kramer on a bearing of South 29 degrees 00 minutes East, a distance of 263 feet; thence North 79 degrees 00 minutes East, a distance of 665 feet to the East line of said property; thence continuing across 112.76 ± acres now or formerly owned by Arnold E. & Neoma E. Kramer on continued bearing of North 79 degrees 00 minutes East, a distance of 958 feet to the East property line of said property; thence continuing across 82.94 acres now or formerly owned by Ivan C. & Ruth A. Bowser on a continued bearing of North 79 degrees 00 minutes East, a distance of 1010 feet to the East property line of said property; thence continuing across the East point of Bouries Reserve and part of Lot #6 of J. Cook's sub-division South of the Indiana & Michigan Electric Co. easement, now or formerly owned by James D. & Margaret H. Irving on a bearing of North 59 degrees 00 minutes East, a distance of 1084 feet; thence along the Westerly side of the St. Joe River on a bearing of North 15 degrees 00 minutes West, a distance of 560 feet; thence North 13 degrees 15 minutes West, a distance of 369 ± feet to a proposed manhole #22 located approximately 85 ± feet West of Martin Drain and 75 ± feet North of the high bank of the St. Joe River.

All easements as set forth on the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately West of the described permanent easement in paragraph #1 above.

2. An easement 100 feet in uniform width, lying adjacent to and immediately Northerly and Westerly of the described permanent easement in paragraph #2 above; also an easement 30 feet in uniform width lying adjacent to and immediately Southerly and Easterly of the described permanent easement in paragraph #2 above.

3. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph #3 above.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all Acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the Northwest Quarter of Section 17, Township 31 North, Range 13 East and part of Richardville Reserve; Section 8, Township 31 North, Range 13 East; Section 9, Township 31 North, Range 13 East and part of Bouries Reserve; Section 4, Township 31 North, Range 13 East of Allen County.

The temporary sewer Easement to expire two (2) years from the date of adoption.

(SEWER Res. # 266 Robinson Park to Martin Ditch).

8. Sewer Easement Resolution No. 121-1973, TEMPORARY & PERMANENT for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of Section 4, Township 31 North, Range 13 East; bounded on the North by a line 200 feet Northerly of and parallel to St. Joe River, bounded on the East by a line 300 feet West of and parallel to the West line of Parks Reserve, bounded on the South by the St. Joe River, bounded on the West by Bourie's Reserve line.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of Section 4, Township 31 North, Range 13 East, bounded on the North by a line 200 feet Northerly of and parallel to the St. Joe River, bounded on the East by a line 300 feet West of and parallel to the West line of Parks Reserve, bounded on the South by the St. Joe River, bounded on the West by Bourie's Reserve line, more particularly descrived as follows:

Approved and adopted. A true copy of which Resolution No. 121-1973, is incorporated by reference herein and appears in Minutes herein under Resolution NO. 121-1973. (Easement). (Sewer Res. #267 - MODIFIED).

Advertise, Notice to Property Owners, August 3 & 10, 1973.

HEARING ON CONFIRMATION - Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at a proposed manhole #22 on the main line of the St. Joe Interceptor located approximately 85 ± feet West of Martin Drain and 75 ± feet North of the high bank of the St. Joe River; thence continuing across property described as Lots #6, #5 and the West part of Lot #4 in J. Cook Subdivision, all South of the Indiana & Michigan Electric Co. easement and now or formerly owned by Margaret H. Irving on a bearing of North 38 degrees 45 minutes East, a distance of 1080 ± feet to the East property line of said property; thence continuing across property described as Lot #3 and the East part of Lot #4 of J. Cook Subdivision, except 6.87 acres to Indiana & Michigan Electric Co. now or formerly owned by Mary B. Irmscher on a continued bearing of North 38 degrees 45 minutes East, a distance of 114 feet; thence North 54 degrees 10 minutes East, a distance of 625 ± feet to the East property line of said property; thence continuing across Lot #6, #5, #4, #3 and #2 of Bicknese Addition on a bearing of North 60 degrees 45 minutes East, a distance of 520 feet; thence North 52 degrees 45 minutes East, a distance of 50 ± feet to the Southwest right of way of Mayhew Road and 86 feet from the center of the bridge over the St. Joe River.

2. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a point of beginning on the Northeast right of way of Mayhew Road and 86 feet from the center of the bridge over the St. Joe River; thence across Lot #1 of Bicknese Addition on a bearing of North 52 degrees 45 minutes East to the West property line of Lot #1 of Trease Estate; thence continuing across the South 29.10 acres of Lot #1 and #2 of Trease Estate; the FRL South 756 feet of Lot #3 of Trease Estate; and the FRL South 823 feet of the 8.85 chains West of the East 7.08 chains North of the River now or formerly owned by Indiana Franklin Realty, Inc. on a continued bearing of North 52 degrees 45 minutes East, a distance of 300 ±; thence North 77 degrees 00 minutes East, a distance of 612 feet; thence South 89 degrees 50 minutes East, a distance of 800 feet to the East property line of said property and the West property line of .66 ± acres now or formerly owned by Diversified Utilities; thence continuing across .66 ± acres now or formerly owned by Diversified Utilities on a continued bearing of South 89 degrees 50 minutes East, a distance of 100 ± feet terminating at a point located on the South property line of said property and approximately 170 ± feet North of the St. Joe River, Said termination being located in the area of an existing sewage treatment plant.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENTS

1. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph 1, except Lot #4, #3, and #2 in Bicknese Addition; said easement for Lot #4, #3 and #2 in Bicknese Addition to be 30 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph 1.

2. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly of the described permanent easement in paragraph 2.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provision of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in Section 4, Township 31 North, Range 13, East of Allen County.

The temporary sewer easement to expire two (2) years from the date of adoption.

(SEWER Res. #267 MODIFIED - Martin Ditch to Lake River).

9. Sewer Easement Resolution NO. 122-1973 TEMPORARY & PERMANENT for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the Section 8, Township 31, North, Range 13 East and part of Richardville Reserve; Section 7, Township 31 North, Range 13 East; the Southeast 1/4 of Section 6, Township 31 North, Range 13 East; Section 1,

Approved and adopted. A true copy of which Sewer Easement Resolution NO. 122-1973, is incorporated by reference herein and appears in Minutes herein under Resolution NO. 122-1973. (Sewer Res. #271)

Advertise, Notice to Property Owners, August 3 & 10, 1973.

HEARING ON CONFIRMATION - Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

Township 31 North, Range 12 East, bounded on the North by a line 400' North of and parallel to the East-West 1/2 section line of Section 1, Township 31 North, Range 12 East Extended; bounded on the East by the St. Joe River, bounded on the South by the Concordia Gardens Addition; bounded on the West by State Road #327, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a proposed manhole #2 of the main line of the St. Joe Interceptor located on a 79 ± acre property now or formerly owned by Lester H. and Esther H. Harmeyer. Said manhole located 10 feet West of the West right of way line of I & M Electric Co. and 380 ± feet Northeasterly of the Northeast corner of Concordia Gardens Addition; thence continuing across said property on a bearing of North 79°00' West, a distance of 297 feet; thence North 87°41' West a distance of 467 feet; thence North 53° 30' West a distance of 300 feet; thence North 74° 44' West a distance of 339 feet; thence North 41°44' West a distance of 875 feet; thence North 88°34' West a distance of 891 feet to the East right of way line of Leo Road (Old State Road #427) and 1392 feet Northeast of the Northeast corner of Concordia Gardens Addition.

2. Also an easement 20 feet in uniform width 10 feet on each side of a described easement and across an 8.52 acre of property now or formerly owned by George G. and Atha A. Fitzgerald described as follows:

Commencing at a point located on the West right of way line of Leo Road (Old State Road #427) and 30 feet South of the centerline of Becketts Run, thence North 47°25' West, a distance of 500 feet to a point on the East R/W line of I-69 and 233 feet Northeast of the centerline extended of Becketts Run Bridge at I-69.

3. Also an easement 20 feet in uniform width, 10 feet on each side of continuous described centerline located on various properties and described as follows:

Commencing at a point located on the West right of way line of I-69 and 210 ± feet Northeast of the centerline extended of the Becketts Run Bridge at I-69; thence across a 40 ± acre property now or formerly owned by Harley H. Smock on a bearing of North 47° 04' West, a distance of 185 feet to the North centerline of said property line; thence continuing across an 18.18 ± acre property now or formerly owned by Leonard and Edna S. Willig on the continued bearing of North 47°04' West, a distance of 218 feet; thence North 11° 26' East, a distance of 730 feet to the North centerline of said property; thence across a 20 ± acre property now or formerly owned by Leo and Betty Oser on a bearing of North 9°34' West, a distance of 630 feet to the N. property line of said property; thence continuing across a 27.15 ± acre property now or formerly owned by Andrew J. and Susie Bobay on a continuing bearing of North 9°34' West, a distance of 25 feet; thence North 85°32' West, a distance of 515 feet; thence North 14°50' West, a distance of 565 feet; thence North 3°20' West, a distance of 200 feet to the North property line of said property, thence continuing across a 6.57 acre property now or formerly owned by Richard G. and Suzanne Derck on a continued bearing of North 3°20' West, a distance of 380 feet to the North centerline of said property; thence across a 6 ± acre property, now or formerly owned by Donald A. and Adelene B. Stiebling on a bearing of North 2°39' West, a distance of 190 ± feet to the North property line of said property; thence continuing across a 128.74 ± acre of property now or formerly owned by (The) Crozier Fathers on a continued bearing of North 2°39' West, a distance of 740 feet; thence North 34° 50' West, a distance of 328 feet; thence North 2°57' East, a distance of 290 feet to a point located on the South right of way of Wallen Road and 35 feet East of the centerline of Auburn Road.

4. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties as follows:

Commencing at a point located on the North right of way line of Wallen Road and 35 feet East of the centerline of Auburn Road; thence continuing across a property described as the South 196.83 feet of West 200 feet Southwest 1/4 of Section 6, Township 31 North, Range 13 East, now or formerly owned by Theodore and Sue A. Scholl, on a bearing of 2° 57' East, a distance of 180 ± feet to the North property line of said property; thence continuing across a 106.99 ± acre property now or formerly owned by John D. and Clint Murchison, Jr. on a bearing of North 2° 57' East, a distance of 10 feet; thence North 89°39' West, a distance of 17 feet to the East property line of Wallen Road and 210 feet North of the centerline extension of Wallen Road.

5. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a point located on the West right of way line of Auburn Road and 210 feet North of the centerline extended of Wallen Road; thence, continuing across a 3.59 acre property now or formerly owned by Stephen J. and Shari D. Sammetinger on a bearing of North 89° 39' West, a distance of 192 feet; thence North 26°30' West, a distance of 400 feet to the Northwest corner of the above said property; corner of said property also being the Southwest corner of a 1.41 acre now or formerly owned by Larry P. and Lynda E. Christlieb; thence, continuing across a 22 ± acre property now or formerly owned by Jacob H. Feichter on a bearing of North 26° 30' West, a distance of 183 feet to the North property line of said property; thence continuing across a 12.86 ± acres now or formerly owned by Arthur H. Kinney on a bearing of North 26° 30' West, a distance of 215 feet; thence North 35°00' West, a distance of 300 feet to the North property line of said property; thence continuing across a 27.14 acre property now or formerly owned by Appolonia and Henry Bercot on a bearing of North 35°00' West, a distance of 400 feet; thence North 56°50' a distance of 390 feet to the West property line of said property; thence continuing across a property described as the Northwest 1/4 Southeast 1/4 and 60 feet of South- 817 feet Northwest 1/4 and FRL East 335.5 Northeast 1/4 Southwest 1/4 now or formerly owned by Richard E. and Marion I. Hill on a bearing of North 56°50' West, a distance of 482 feet; thence North 87°10' West, a distance of 901 ± feet to the West property line of said property; thence continuing across a property described as the FRL 817 feet East of Highway centerline Northwest 1/4 exc. East 60 feet and exc. FRL North 159.7 feet of West 191.05 feet now or formerly owned by Fred J. and Martha E. Lee on a bearing of North 87° 10 feet West, a distance of 253 feet; thence North 59°15'W of said property and State Road #327 and 40 ± feet North of Becketts Run.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately Southerly of the described easement in Paragraph 1.

2. Also an easement 50 feet in uniform width lying adjacent to and immediately North of the described easement in Paragraph 2.

3, 4 & 5. Also an easement 50 feet in uniform width lying adjacent to and immediately Easterly and Northerly of this described easement in Paragraph 3, 4 & 5.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots, and land affected by the above described condemnation are situated in Section 8, Township 31 North, Range 13 East and part of Richardville Reserve; Section 7, Township 31 North, Range 13 East, the Southeast 1/4 of Section 6, Township 31 North, Range 13, East, Section 1, Township 31 North, Range 12 East of Allen County.

This temporary sewer easement to expire two (2) years from the date of adoption.

(SEWER Res. #271 Robinson Park to S. R. #327)

10. Sewer Easement Resolution No. 123-1973, (TEMPORARY AND PERMANENT) for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of space being part of the Northwest 1/4 of Section 1, Township 31 North, Range 12 East; the North 1/2 of Section 2, Township 31 North, Range 12 East; the Northeast 1/4 of Section 3, Township 31 North, Range 12 East; bounded on the North by the Rahdert Drain; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the WEst by State Road #3.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the Northwest 1/4 of Section 1, Township 31 North, Range 12 East; the North 1/2 of Section 2, Township 31 North, Range 12 East; the Northeast 1/4 of Section 3, Township 31 North, Range 12 East; bounded on the North by the Rahdert Drain; bounded on the East by State Road #327; bounded on the South by Till Road; bounded on the West by State Road #3, more particularly described as follows:

Approved and adopted. A true copy of which Sewer Easement Resolution No. 123-1973, is incorporated by reference herein and appears in Minutes herein under Resolution No. 123-1973. (Sewer Res. #272).

Advertise, Notice to Property Owners, August 3 & 10, 1973.

HEARING ON CONFIRMATION - Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at a point located on the WEst right of way line of State Road #327 and 102 feet Southwest of the North east corner of Lot #2 in Feichter's Subdivision; thence, continuing across Lot #2 in Feichter's Subdivision on a bearing of North 62° 03' West a distance of 250 feet to the North property line of said lot; thence, continuing across a Lot #3 of Feichter's Subdivision on a bearing of North 62° 03' West a distance of 702 feet to a point being the common lot corner for the Northwest corner of said Lot #3, the Northeast corner of Lot #5 of Feichter's Subdivision, the Southeast corner of Lot #15 of Valley Ridge Estates and the Southwest corner of a 5 ± acre property now or formerly owned by Ruth Pierce; thence, continuing Westerly on a line 10 feet North of and parallel to the South property line of Lots #15 thru #11 inclusive of Valley Ridge Estates a distance of 1,017 feet; thence, continuing across a 35 ± acre property now or formerly owned by Garrett F. Waters on a bearing of North 88° 45' West a distance of 553 feet; thence, North 38° 30' West a distance of 722 feet to the North property line of said property; thence, continuing across Lot #79 of Limberlost Acres Addition, Section "B", on a bearing of North 38° 30' West a distance of 86 ± feet; thence, North 71° 30' WEst a distance of 130 ± feet to the West property line of said Lot #79; thence, continuing across a 10.41 acre property now or formerly owned by Ralph I. and Martha Badiac on a bearing of North 71° 30' West a distance of 715 feet; thence, South 63° 15' West a distance of 718 feet to the common property line of the WEst property line of the above said property and the East right of way of the New York Central Railroad and 1,310 feet North of the centerline of Till Road.

2. Also, an easement 20 feet on each side of a continuous described centerline located on various properties and described as follows:

a. Commencing at a point located 10 feet West of the West right of way of the New York Central Railroad and 1,260 ± feet North of the centerline of Till Road; thence, South across a 95 ± acre property now or formerly owned by Graphic Realty Corporation on a line 10 feet WEst of and parallel to the West line of the New York Central Railroad a distance of 445 feet;

b. thence, said easement continuing across the Graphic Realty Corporation property on a bearing of South 81° 50' West a distance of 1,351 feet;

c. thence, said easement continuing across the Graphic Realty Corporation property on a bearing of South 06° 45' West a distance of 530 feet; thence, North 88° 00' West a distance of 1,185 ± feet to the section line of Section 3, Township 32 North, Range 12 East, also being the West property line of said property; thence, continuing across Lot #8 and part of Lot #7 now or formerly owned by Donald Johnson on a bearing of South 88° 00' West a distance of 480 feet to a point located approximately 95 feet North of the traveled centerline of Till Road, and 65 ± feet East of the centerline of the North-South portion of Becketts Run; thence, North 03° 00' West a distance of 444 feet; thence, North 28° 00' West a distance of 50 feet to the West property line of said property; thence- continuing across part of Lots #7 and #6 of Rousseau's Out Lots now or formerly owned by Marion S. and Genevieve Gully on a bearing of North 28° 00' West a distance of 340 feet; thence, North 24° 30' West a distance of 245 feet to the North property line of said Lot #6 of Rousseau's Out Lots; thence, continuing across a 23.23 ± acre property now or formerly owned by Darwood and Mary K. Knafel on a bearing of North 24° 30' West a distance of 145 feet; thence, North 15° 00' West a distance of 420 feet; thence, North 44° 30' East a distance of 70 ± feet to the North property line of said property; thence, continuing across a 83.45 acre property now or formerly owned by Cletus and Opal Snyder on a bearing of North 44° 30' East a distance of 360 ± feet; thence, North 38° 00' East a distance of 500 feet; thence, North 10° 10' East a distance of 762 feet; thence, North 12° 00' West a distance of 185 ± feet to the North property line of said property, the South right of way of Dupont Road, and 90 feet East of the Rahdert N.D. #4 Ditch.

3. Also, an easement 20 feet in uniform width 10 feet on each side of a described centerline and across a 29.12 ± acre tract of land, a 67.33 ± acre tract OF LAND, now or formerly owned by Jesse H. and Mary E. Kehr and described as follows:

Commencing at a point located on the North right of way line of Dupont Road and 247 feet West of the East line of the East 1/2, Southwest 1/4, Section 32, Township 32 North, Range 12 East; thence, North 12° 00' West a distance of 295 feet; thence, North 42° 30' East a distance of 1,130 feet; thence, North 52° 30' West a distance of

600 feet; thence, North 09°15' East a distance of 400 feet; thence, North 78° 45' West a distance of 705 ± feet to the West property line of said property, the East right of way of State Road #3 and 487 ±'South of the 1/2 section line of Section 32, Township 32 North, Range 12 East.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly and Westerly of the described easement in paragraph 1 above.

2a. An easement 50 feet in uniform width, lying adjacent to and immediately West of the described portion of easement in paragraph 2a. above.

b. An easement 50 feet in uniform width, lying adjacent to and immediately South of the described portion of easement in paragraph 2b. above.

c. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly and Easterly of the described easement in paragraph 2c, above.

3. An easement 50 feet in uniform width, lying adjacent to and immediately Easterly and Northerly of the described easement in paragraph 3 above.

All easement as set forth in the attached drawings.

All according to the method and manner provided for in the Act of General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the Northwest 1/4 of Section 1, Township 31 North, Range 12 East; the North 1/2 of Section 2, Township 31 North, Range 12 East; the Northeast 1/4 of Section 3, Township 31 North, Range 12 East of Allen County,

The temporary sewer easement to expire two (2) years from the date of adoption.

(SEWER Res. #272 S. R. #3).

11. Sewer Easement Resolution No. 124-1973, (TEMPORARY AND PERMANENT) for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the West 1/2 of Section 32, Township 32 North, Range 12 East; the Northeast 1/4 of Section 31, Township 32 North, Range 12 East; and the Southeast 1/2 of Section 30, Township 30 North, Range 12 East, bounded on the North by a line 1,300 feet South of and parallel to Recovery Road, bounded on the East by State Road #3, bounded on the South by Rahdert Drain, bounded on the West by a line 400 feet East of and parallel to the Penn Central Railroad.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the West 1/4 of Section 32, Township 32 North, Range 12 East; the Northeast 1/4 of Section 31, Township 32 North, Range 12 East; and the Southeast 1/4 of Section 30, Township 32 North, Range 12 East, bounded on the North by a line 1,300 feet South of and parallel to Recovery Road, bounded on the East by State Road #3, bounded on the South by Rahdert Drain, bounded on the West by a line 400 feet East of and parallel to the Penn Central Railroad, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at a point located on the centerline of State Road #3 and 487 feet South of the North line of the Southwest 1/4 of Section 32 of Perry Township; thence, North 74° 18' West a distance of 98 feet to a point of beginning located on the West right of way line of State Road #3; thence, continuing across a 2.30 acre property now or formerly owned by Leland R. and Jane Coak on a bearing of North 78° 18' West a distance of 378 feet; thence, North 17° 48' West a distance of 95 feet to the North property line of said property; thence, continuing across a 4.59 acre property now or formerly owned by Arthur E. and Ruth M. Coak on a bearing of North 17° 48' and a distance of 170 feet; thence, North 48° 43' West a distance of 250 feet to the North property line of said property; thence, continuing across a 37.89 acre property now or formerly owned by Wilmer and Rosalind Rahdert on the bearing North 48°43' West and a distance of 350 feet; thence, North 63°43' West a distance of 447 feet to a point located 10 feet West of the West section line

Approved and adopted . A true copy of which Sewer Easement Resolution No. 124-1973, is incorporated by reference herein and appears in Minutes herein under Resolution No. 123-1973. (Sewer Res. #272).

Advertise, Notice to Property Owners, August 3 & 10, 1973.

HEARING ON CONFIRMATION-
Thursday, August 23, 1973
at 3:30 p.m.

Notices to be mailed August 10, 1973.

of Section 29 and 40 ± feet North of Rahdert Drain; thence, continuing North across a 73.64 acre property now or formerly owned by Wilmer and Rosalind Rahdert on a line 10 feet West of and parallel to the West line of Section 29, Township 32 North, Range 12 East a distance of 1,008 feet to a point located on the North property line of the said property.

2. Also, an easement 20 feet in uniform width across a 37.50 acre property now or formerly owned by Robert and Genevieve Young and described as follows:

The East 20 feet of the above said property and also the North 20 feet of the East 723 feet of the above said property.

3. Also, an easement 20 feet in uniform width, 10 feet on each side of a centerline described as follows:

Beginning at a point located 713 feet West of the East line of Section 30, Township 32 North, Range 12 East, and the North right of way of Carrol Road; thence, N 7°27' East in and along an existing drive a distance of 1,110 feet; thence, North 32° 33' West a distance of 240 feet terminating at an existing manhole.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width, lying adjacent to and immediately Northerly and Easterly of the described permanent easement in paragraph 1.

2. Also, an easement 50 feet in uniform width, lying adjacent to and immediately West and South of the described permanent easement in paragraph 2.

3. Also, an easement 50 feet in uniform width, lying adjacent to and immediately Westerly of the described permanent easement in paragraph 3, except the South 200 feet of said easement in paragraph 3 which would be 20 feet in uniform width and adjacent to said permanent easement as described in paragraph 3.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the West 1/2 of Section 32, Township 32 North, Range 12 East; the Northeast 1/4 of Section 31, Township 32 North, Range 12 East; and the Southeast 1/4 of Section 30, Township 32 North, Range 12 East of Allen County.

The temporary sewer easement to expire two (2) years from the date of adoption.

(SEWER Res. #273 MODIFIED - S. R. #3 to County Home Area).

12. Sewer Easement Resolution No. 125-1973 TEMPORARY & PERMANENT for the condemnation of a permanent and temporary right of way for sewer easement purposes, across, through and under a portion of space being part of Section 8, Township 31 North, Range 13 East; the Northeast 1/4 of Section 7, Township 31 North, Range 13 East; the East 1/2 of Section 6, Township 31 North, Range 13 East; the West 1/2 of Section 5, Township 31 North, Range 13 East; bounded on the North by Dupont Road, bounded on the East by Bouries West Reserve Line, bounded on the South by Swift Run, bounded on the West by a line parallel to and 400 feet Westerly of Interstate-69.

Resolved by the Board of Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of Section 8, Township 31 North, Range 13 East; the Northeast 1/4 of Section 7, Township 31 North, Range 13 East; the East 1/2 of Section 6, Township 31 North, Range 13 East; the West 1/2 of Section 5, Township 31 North, Range 13 East; bounded on the North by Dupont Road, bounded on the East by Bouries West Reserve Line, bounded on the South by Swift Run, bounded on the West by a line parallel to and 400 feet Westerly of Interstate-69, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a proposed Manhole #11 on the main line of the St. Joe Interceptor Sewer, said manhole point located 275 feet Northwest of the West bank of the St. Joe River and 152 feet Northeast of Swift Run;

Approved and adopted. A true copy of which Sewer Easement Resolution No. 125-1973, is incorporated by reference herein and appears in Minutes herein under Resolution No. 123-1973. (Sewer Res. #275).

Advertise, Notice to Property Owners, August 3 & 10, 1973.

HEARING ON CONFIRMATION - Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

thence, across property now or formerly owned by the City of Fort Wayne on a bearing of North 63°00' West a distance of 345 feet; thence, North 19° 30' West a distance of 368 ± feet to the North property line of above said property; thence, continuing across a tract of land being the FRL Richardsville Reserve West of the river except 0.50 acre mid point of the West 1/2, Northwest 1/4 of Section 8, Township 31 North, Range 13 East, now or formerly owned by the Lincoln National Bank and Trust Company on a bearing of North 47° 00' West a distance of 310 feet; thence, North 63°15' West a distance of 340 feet; thence, North 56° 00' West a distance of 345 feet; thence North 27°00' West a distance of 400 feet to the East right of way line of Leo Road and 21 feet West of the North-South section line of Sections 7 and 8, Township 31 North, Range 13 East.

2. Also, an easement 20 feet in uniform width, 10 feet on each side of a described centerline running along the Swift Drain from Leo Road to Wallen Road and crossing the respective properties now or formerly owned by Charles T. and Gertrude M. Billman, Walter H. and Phyllis J. Dietel, and Joseph and Hilda Mason with a centerline described as follows:

Commencing at a point located on the West right of way line of Leo Road and 544 feet Southwest of the centerline of Wallen Road and the West right of way of Leo Road; thence, North 26°00' West a distance of 328 feet to a point on the North right of way line of Wallen Road and 213 feet WEst of the East section line of Section 7, Township 31 North, Range 13 East.

3. Also, an easement 20 feet in uniform width, 10 feet of each side of a described centerline running along the West side of Swift Run from Wallen Road to Interstate-69 and crossing a 80 ± acre property now or formerly owned by Cecelia C. Roy with a centerline described as follows:

Commencing at a point located on the North right of way line of Wallen Road and 289 feet West of the East section line of Section 6, Township 31 North, Range 12 East; thence, North 04°00' East a distance of 375 feet; thence, North 63°15' West a distance of 36 feet to a point located on the EAst right of way line of Interstate-69 and 535 feet Northeast of the centerline of Wallen Road and the East right of way line of Interstate-69.

4. Also, an easement 20 feet in uniform width, 10 feet on each side of a described centerline lying West of Interstate-69 and located on various properties and the easement centerline described as follows:

Commencing at a point located 10 feet Northwest of the West right of way line Interstate-69 and 633 ± Northeast of the centerline of Wallen Road and the West right of way of Interstate-69; thence, continuing across a 80 ± acre property now or formerly owned by Cecelia C. Roy on a bearing of North 22°00' East a distance of 480 feet; thence, North 18°00' East a distance of 480 feet; thence, North 15°30' West a distance of 463 feet; thence North 13°30' East a distance of 260 feet; thence, North 03°30' West a distance of 475 feet to the North property line of the said property.

5. Also, an easement 20 feet in uniform width across a 9.19 ± acre property described as the Northwest 1/4 of section 5, Township 31 North, Range 13 East, South and West of Interstate-69 and now or formerly owned by Tony and Lucille D. Conge. The proposed easement is described as follows:

The West 20 feet of the South 2,020 feet of the above said property.

6. Also, an easement 20 feet in uniform width across a 54.44 ± acre property now or formerly owned by James L. and Ruth G. Oddou and described as follows:

A 20 foot easement strip lying parallel to and adjacent to the Westerly line of an existing I & M Electric transmission line easement running Northwest across said property from the section line of Section 6, Township 32 North, Range 13 East to the South right of way of Dupont Road.

7. Also, an easement 20 feet in uniform width, 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a point located on the West line of Section 5, Township 32 North, Range 13 East and 1,320 feet South of the centerline of Dupont Road; thence, across a 9.19 ± acre property described as the Northwest 1/4 of Section 5, Township 31 North, Range 13 East South and West of Interstate-69 and now or formerly owned by Tony and Lucille D. Conge on a bearing of North 90°00' East a distance of 196 feet with the easement terminating at the right of way line of Interstate-69; thence, said centerline continuing across Interstate-69 on the bearing of North 90°00' East to a point of beginning on the East right of way line of Interstate-69; thence, across a 29.98 ± acre property now or formerly owned by John D. and Clint Murchison on a bearing of North 90°00' East a distance of 399 feet to the Southwest corner of a 11.90 acre property now or formerly owned by Marathon Oil Company.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width lying adjacent to and immediately Easterly of the described permanent easement in paragraph 1 above.

2. An easement 50 feet in uniform width lying adjacent to and immediately West of the described permanent easement in paragraph 2 above.

3. An easement 50 feet in uniform width lying adjacent and immediately west of the described permanent easement in paragraph 3 above.

4. An easement 50 feet in uniform width lying adjacent to and immediately West of the described easement in paragraph 4 above.

5. An easement 50 feet in uniform width lying adjacent to and immediately East of the described easement in paragraph 5 above.

6. An easement 50 feet in uniform width lying adjacent to and immediately Westerly of the described easement in paragraph 6 above.

7. An easement 50 feet in uniform width lying adjacent to and immediately North of the described easement in paragraph 7 above. All easements as set forth in the attached drawings.
All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled " An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in part of Section 8, Township 31, North, Range 13 East; the Northeast 1/4 of Section 7, Township 31 North, Range 13 East; the East 1/2 of Section 6, Township 31 North, Range 13 East; and the West 1/2 of Section 5, Township 31 NOrth, Range 13 East of Allen County.

The temporary sewer easement to expire two (2) years from the date of adoption.

(Sewer Res. #275 Robinson Park to Dupont Road.)

13. Sewer Easement Resolution NO. 126-1973 - TEMPORARY AND PERMANENT - for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the West 1/2 of Section 35, Township 32 North, Range 12 East; the South 1/2 of Section 27, Township 32 North, Range 12 East; the Northeast 1/4 of Section 34, Township 32 North, Range 12 East, bounded on the North by a line 850 feet North of and parallel to the South line of Section 27, Township 32 North, Range 12 East; bounded on the East by Interstate- 69, bounded on the South by Dupont Road, bounded on the West by a line parallel to and 200 feet West of the 1/2 section line of Section 27, Township 32 North, Range 12 East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for permanent and temporary sewer easement purposes across, through and under a portion of space being part of the West 1/2 of Section 35, Township 32 North, Range 12 East; the South 1/2 of Section 27, Township 32 North, Range 12 East; the Northeast 1/4 of Section 34, Township 32 North, Range 12 East; bounded on the North by a line 850 feet North of and parallel to the South line of Section 27, Township 32 North, Range 12 East, bounded on the East by Interstate-69, bounded on the South by Dupont Road, bounded on the West by a line parallel to and 200 feet WEst of the 1/2 section line of Section 27, Township 32 North, Range 12 East, more particularly described as follows:

PERMANENT EASEMENT

1. An easement 20 feet in uniform width, 10 feet on each side of a centerline on various properties and described as follows:

Commencing at a point located on the centerline of Dupont Raod and 852 feet West of the centerline of Interstate-69; thence, North 42° 43' West a distance of 60 ± feet to the North right of way of Dupont Road; thence, continuing across a 54.63 acre property now or formerly owned by Harold Oddou on a bearing of NOrth 42° 45' West a distance of 1,191 feet to a proposed manhole #27; thence, North 5° 22' West a distance of 230 ± feet to the North property line of said property; thence, continuing across a 40 acre property now or formerly owned by Joseph H. & Mary A. Guertin, on a bearing of North 5° 22' West a distance of 145 feet to a proposed

Approved and adopted. A true copy of which Sewer Easement Resolution No. 126-1973, is incorporated by reference herein and appears in Minutes herein under Resolution NO. 125-1973. (Sewer Res. #276).

Advertise, Notice to Property Owners, August 3 & 10, 1973.

HEARING ON CONFIRMATION - Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

Manhole #28; thence, North 00° 45' East a distance of 515 feet to the North property line of said property; thence, continuing across a Lot #9 of Northway Gardens Addition on a bearing of North 00°45' East to the North property line of said Lot #9; thence, continuing on the bearing of North 00°45' East across Southway Drive, Lot #39, Lot #58 and Northway Drive of Northway Gardens Addition a distance of 380 feet to a point located 10 feet North of the Southeast corner of Lot #89 of Northway Gardens Addition; thence, Easterly on a line 10 feet North of and parallel to the South property line of Lots #89 thru #78 inclusive of Northway Gardens Addition to a point located on the common North-South property line of Lots #78 and #79 and 10 feet North of the North right of way line of Northway Drive; thence, North in and along the North-South common property line of said Lots #78 and #79 to the North line of Northway Gardens; thence, continuing across a 160 ± acre property now or formerly owned by Joseph L. and Marie Wesley on a bearing of North 00° 30' West a distance of 588 feet to a proposed Manhole #35; thence, North 52°15' West a distance of 500 feet; thence, North 17°35' West a distance of 318 feet; thence, North 20°12' West a distance of 590 feet; thence, North 25°10' West a distance of 450 feet; thence, North 34° 38' West a distance of 540 feet to a proposed Manhole #40; thence North 89° 50' West a distance of 930 ± feet to the East property line of Auburn Road and 24 feet South of the Northwest corner of Section 35, Township 32 North, Range 12 East.

2. Also, an easement 10 feet on each side of a described centerline located on various properties and described as follows:

Commencing at a point on the West right of way line of Auburn Road and 24 feet South of the Northeast corner of Section 34, Township 32 North, Range 12 East; thence, across a 48.86 acre property now or formerly owned by Ralph H. and Eileen B. Thomas on a bearing of North 89° 05' West, a distance of 685 feet; thence, South 88° 44' West, a distance of 837 feet; thence, North 01° 12' West, a distance of 542 feet; thence, North 35° 05' West, a distance of 38 feet to the North property line of above said property; thence, continuing across a 156.58 ± acre property now or formerly owned by

August, Jr. and Alma Kruse on a bearing of North 35°05' West, a distance of 712 feet; thence, North 59°03' West, a distance of 65 feet to the West line of Lot #171 of Pine Valley Country Club 1st Addition; thence, continuing across the Northeast corner of said Lot #171 on a bearing of North 59°03' West, a distance of 75 feet to the North property line of said lot; thence, continuing across a 6.03 acre property now or formerly owned by Utility Development on a bearing of 59°03' West, a distance of 120 feet terminating at an existing sewage treatment plant.

All easements as set forth in the attached drawings.

TEMPORARY EASEMENT

1. An easement 50 feet in uniform width lying adjacent to and immediately WEsterly and Northerly of the described easement from DuPont Road to the North line of Northway Gardens Addition.

2. Also, an easement 50 feet in uniform width lying adjacent to and immediately Westerly and Southerly of the described easement from the North line of Northway Gardens Addition to the sewage treatment plant at the Pine Valley Country Club Addition.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation", as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in the West 1/2 of Section 35, Township 32 North, Range 12 East; the South 1/2 of Section 27, Township 32 North, Range 12 East; and the Northeast 1/4 of Section 34, Township 32 North, Range 12 East.

The temporary sewer easement to expire two (2) years from the date of adoption.

(SEWER Res. No. 276 Dupont Road to Pine Valley.)

14. Sewer Easement Resolution NO. 127-1973, TEMPORARY AND PERMANENT - for the condemnation of a permanent and temporary right of way for sewer easement purposes across, through and under a portion of space being part of the West half Section 4, Township 31 North, Range 13 East; bounded on the North by line 20 feet parallel to the North right of way of Leo Road (Old State Road #427), bounded on the East by the East property line of Lot #7 of J. Cook's Subdivision, bounded on the South by the St. Joe River, bounded on the West by the East line of Bourie's Reserve, more particularly described as follows:

PERMANENT EASEMENT

An easement 20 feet in uniform width, 10 feet on each side of a continuous described centerline located on various properties and described as follows:

Commencing at a proposed manhole #22 on the main line of the St. Joe Interceptor. Said manhole located approximately 120 ± feet West of Swift Drain and 75 ± feet North of the high bank of the St. Joe River; thence, from manhole #22 across a property described as being part of Lot #6 of J. Cook's subdivision South of the I & M easement and now or formerly owned by Margaret H. Irving and also across land described as being the East part of Bourie's Reserve owned by James D. & Margaret Irving on a bearing of North 27 degrees 45 minutes West, a distance of 810 feet; thence, North 03 degrees 10 minutes East, a distance of 430 ± feet to the North property line of said property and the South right of way of the I & M easement; thence, continuing across the I & M easement right of way and then in and along the West side of Lot #6 now or formerly owned by Morris J. Ream and Edna F. Amstutz, North 03 degrees 10 minutes East a distance of 2795 ± feet; thence, North 22 degrees 00 minutes West, a distance of 45 feet to the West property line of said property; thence continuing across the Northeast corner of 71.69 ± acres now or formerly owned by Dorothy Raver on a continued bearing of North 22 degrees 00 feet West, a distance of 140 feet to the North property line of said property, the South right of way line of Leo Road (Old State Road #427) and 252 feet Southwest of the centerline of Martin Ditch.

All easements as set forth in the attached drawings.

Approved and adopted. A true copy of which Sewer Easement Resolution NO. 127-1973, is incorporated by reference herein and appears in Minutes herein under Resolution NO. 12&-1973. (Sewer Res. # 277 MODIFIED)

Advertise, Notice to Property Owners, August 3 & 10, 1973

HEARING ON CONFIRMATION - Thursday, August 23, 1973 at 3:30 p.m.

Notices to be mailed August 10, 1973.

TEMPORARY EASEMENT

An easement 50 feet in uniform width lying adjacent to and immediately Easterly of the above described permanent easement.

Also an easement commencing at a point of beginning on the West property line of Lot #6 of J. Cook's subdivision and the North right of way line of the I&M easement; thence North in and along the West property line of said Lot #6, a distance of 700 feet; thence West a distance of 125 feet; thence South on a line 125 feet West of and parallel to the West line of said Lot #6, a distance of 810 ± feet to the North right of way line of the I & M easement; thence North, east in and along the I & M easement right of way line, a distance of 265 ± feet to the point of beginning.

All easements as set forth in the attached drawings.

All according to the method and manner provided for in the Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation",as approved March 6, 1905, and the provisions of all acts amendatory thereof.

All streets, roads, lots and land affected by the above described condemnation are situated in West half of Section 4, Township 31 North, Range 13 East of Allen County.

This temporary sewer easement to expire two (2) years from the date of adoption.

(SEWER Res. No. 277 - St. Joe River to Leo Road).

15. RE: SEWER RESOLUTION No. 811-1970 — Approved.

Pursuant to settlement agreed upon by the City Attorney and the attorney for Nobis-Westropp Construction Company, Inc. as set forth in Board of Works Resolution 59-294-8, which was approved by the Common Council (S-83-73), the Board now authorizes the City Controller to pay Nobis-Westropp Construction Co., Inc. the sum of $27,340.75 from the Sewer Relief Fund.

Any monies acruing on Resolution 811-1970 as a result of the yet unpaid assessments of five (5) property owners, which assesssments are in legation, shall be reimbursed to the Board of Public Works Sewer Relief Fund.

16. Received a request from Northern Indiana Public Service Company, 1501 Hale Avenue, for permission to barricade Genessee Avenue at Sandpoint beginning July 30, 1973 at 3:00 p.m. to Tuesday, July 31, 1973 at 12:00 p.m.
PURPOSE: Install a main.

Approved and permit issued.

17. Received a request from Jerusalem Baptist Church, % Mrs. George Mc-Pherson, 1115 Belmont Drive, for permission to close Francis Street from Lewis to Madison Streets on Saturday, August 4, 1973 from 9:00 a.m. to 5:00 p.m.
PURPOSE: Church Block Party.

Approved and permit issued.

Meeting adjourned at 10:15 a.m.

BOARD OF PUBLIC WORKS

ATTEST:
Edna L. Smith
Clerk

G 77684

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